

**Gallagher Township Board of Supervisor's  
Regularly Scheduled Meeting Minutes  
May 3, 2023 ~ 7:00PM**

The May 2023 Regularly Scheduled Public Meeting of the Gallagher Township Board of Supervisors was called to order by Chairman Bill McCoy at 7:02 PM; followed by a moment of silence; and the Pledge of Allegiance.

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, Hayley Bower, Jody Ritter, Jennifer Hoy, Lauren Hoy, Peg Neff, Loretta Coltrane, Warren and Jacque Gottshall, Curt and Becky Barner, Russell Weaver; and visitors: Gary Myers, Michele Whitney from Clinton County Watchdog, and Steph McDermott and Henry Sorgen IV from the Central Mountain ATV Association.

When asked by Township Solicitor if anyone was recording the meeting, Supervisor Brian Hoy, Michele Whitney from Clinton County Watchdog and Jennifer Hoy each stated they would be recording the public meeting.

A Consent Agenda was presented to the Board. It included the following regular monthly action items: **Meeting Minutes** for the April 1, 2023 Public Meeting; the **April 2023 Treasurer's Report** for township finances from April 1, 2023 up to and including April 30, 2023- this report included all Payroll, Liabilities, Invoices, and Deposits; and the **April 2023 Correspondences**. Supervisor Hoy made a motion to approve the Consent Agenda as presented. Supervisor Mann seconded the motion; the motion unanimously carried.

**Road Master Report**

Supervisor Hoy provided the Road Master Report. He stated the Township's roads had all been vacuumed and swept by Pine Creek Township. He submitted an invoice he received from Pine Creek Township for 11.5 hours @ \$144.00 per hour, for a total cost of \$1656.00 to be paid out of the ACT 13 checking account. He went on to say Supervisor Mann had removed all of the debris from the ditches along the Township roads and all three Supervisors have been working on the together using the blower on the tractor to blow out the ditches. Additionally, Chairman McCoy had started to raked Old Pike Road. He went on to say they were going to work on getting the remaining ditches blown out.

A discussion regarding the radios in the township's truck and equipment ensued. It was stated there was communication difficulties while out working on the roads because the radios in weren't working properly. Supervisor Hoy made a motion to add service the Township radios to the agenda under new business; Chairman McCoy seconded the motion; the motion unanimously carried.

Supervisor Mann stated while they were blowing out the ditches, he noticed several of the pipes on Church Road were clogged. Supervisor Hoy questioned if they could be blown out? Supervisor Mann said they will need to be dug out first and then they would be able to be blown out. He went on to say he asked Benson Probst to come out and take a look at them. Supervisor Hoy stated they could get together maybe in the next couple of weeks to take a look at them. Chairman McCoy added the stone rake did a nice job on the roads. It wasn't too wet or too dry when he was out raking them.

**SEO Report**

Chairman McCoy stated he hadn't received anything from Kellen Krape, SEO Officer.

**Zoning and Land Use Permit Report**

Chairman McCoy stated the township had received an email from Matthew Croak, Zoning Office with Clinton County, advising a zoning permit was issued for a swimming pool (13'x26') for the residence located at 156 Paul's Lane, Lock Haven PA 17745.

**Public Comment**

Earl Straley, Jr. Asked where 156 Paul's Lane was located. It was stated, Paul's Lane is located on Queens Run Road. No additional public comment was made at this time.

**Old Business:**

**Employee Letter**

Chairman McCoy read out loud two grievance letters submitted by Mary J. Myers at the April 5, 2023 Public Meeting.

**Review Letter from Scott Coburn / Review Township Ordinance**

Supervisor Hoy pointed out to Solicitor Houser agenda items - Review Letter from Scott Coburn / Review Township Ordinance and Publication 9-PennDOT Safety; which were in the Board's packets was different than the agenda posted on the Township's website. Solicitor Houser stated because the items were missed on the agenda that was posted on the Township's website, the items would need to be added to the agenda via a motion. Secretary Mary Myers apologized and stated she had posted the agenda to the website prior to Chairman McCoy adding the two action items. She went on to say she forgot to update the agenda on the website when she updated and printed the copies for the Public Meeting. Chairman McCoy made a motion to add Review Letter from Scott Coburn / Review Township Ordinance which will include an additional missed item on the agenda- Auditors Meeting / Minutes / Backdating Pay and Publication 9-PennDOT Safety to the agenda. Supervisor Mann seconded the motion; the motion unanimously carried.

Chairman McCoy stated he had received an email from Scott Coburn, Solicitor at PSATS; which address the actions taken at the April 2023 Public Meeting regarding the job classification of Working Supervisor, backdating pay for Supervisors for their new job titles, road master duties, and auditor's duties without a CPA contract. Solicitor Houser stated he hadn't received the email to review. To which Chairman McCoy stated he had just received the email with answers to his questions.

Chairman McCoy asked the Board if it was ok to move items around on the agenda to allow Central Mountain ATV Association to speak instead of making them wait until new business? The Board unanimously agreed.

### **Central Mountain ATV Association and Northcentral PA ATV Initiative**

The Central Mountain ATV Association presented a map outlining the new pilot program that that is being launched Memorial Day Weekend 2023 as part of the PA ATV initiative. The program allows licensed ATV/UTV riders, from Memorial Day through the end of September, to travel to and from the designated PA DCNR Haneyville Parking area, along State Route 44, to Mountain Top and Fin Fur & Feather using State Route 44. The hours of operation will be from dawn to dusk daily. The Association stated that several Township property owners who own land adjoining Carrier Road on Gallagher Township's portion of Carrier Road requested the Township consider adopting an ordinance to allow ATV/UTVs to utilize the Township's portion of Carrier Road to access the trail. Chairman McCoy made a motion to direct Township Solicitor, Justin Houser, to check into the legalities of opening the Township's portion of Carrier Road for ATV/UTV use. One of the concerns presented to the Solicitor for review, by the Board, was the existence of an Excess Maintenance Agreement between the Township and STL Resources. Supervisor Hoy seconded the motion; the motion unanimously carried. Solicitor Houser is to present his findings at the June 2023 Public Meeting.

### **Review Letter from Scott Coburn / Review Township Ordinance Auditors Meeting / Minutes**

Chairman McCoy stated he had spoken to Solicitor Scott Coburn via phone with questions pertaining to actions taken at last months meeting. Scott had asked that he put the questions they discussed in an email, provide supporting documents and he would respond. Chairman McCoy read the email response he received from Solicitor Coburn out loud. He then went on to say there are two ways a supervisor can be paid in Pennsylvania. Solicitor Houser spoke up and stated he would strongly prefer that he wasn't required to comment on any of the matters presented in the email at a public meeting, but rather he would like to be able to provide advice to the Member of the Board without destroying their legal privilege.

Auditor Peg Neff responded to one of the questions Chairman McCoy read out loud and which Scott Coburn responded- "*Can Auditors set required work hours per week?*" and "*Our auditors assigned back-pay for the supervisors- back to January-how is this paid? Does this require the quarterly reports to be adjusted?*" She stated they set the working hours and the scheduled days per week based upon what the Supervisors stated they could work at a previous meeting. They also made the hourly pay retroactive as that is what they were directed to do at the previous month's meeting. She then questioned if the auditors could set the days and working hours? The response from the Board and also the Township Solicitor was no, the Auditors can only set the wages. However, they can make suggestions pertaining to the working hours for the supervisors as well as the other employees. She then stated the Auditors did what they thought they were supposed to do per a letter. Supervisor Hoy questioned who gave her the letter? She looked for her copy of the letter in question, but was unable to locate it. Solicitor Houser also stated he would like to see a copy of the letter when and if she is able to locate it. Peg stated if she was able to locate it, she would drop it off at his office. Solicitor Houser then stated the Auditors were able to make suggestions regarding the working hours for the supervisors per week.

Secretary, Mary Myers, questioned the wages being retroactive. At this time, Chairman McCoy's wage would be retroactive back to January 4, 2023 and Supervisor Manns would be retroactive back to February 1, 2023. She went on to say she had spoken with Scott at PSATS who said making wages retroactive is not a good practice and auditor approval should take place before the work is performed. Solicitor Houser questioned if she had made payment of the retroactive wages? She replied, she had figured them out, but hadn't made payment on them after speaking with the Township's CPA, Mike who explained she would need to file amended monthly and quarterly employee withholding reports as well as additional payments. She went on to say, what was suggested to her was, that the Auditors meet again and rescind their prior request for the wages to be retroactive, and make them effective April 4, 2023 at the new wage. Supervisor Hoy made a motion to have the auditors

reconvene to adjust back pay. Supervisor Mann seconded the motion; the motion unanimously carried. Solicitor Houser said he would speak with Township Auditor, Jody Ritter, after the meeting to discuss what the auditors are to do.

### **Boom Mower**

Supervisor Hoy stated the boom mower the Township was looking to purchase from Woodward Township had been sold on Municibid. He went on to say Castanea Township was going to be selling a boom mover because they purchased a new one. They were looking to get between four and seven thousand dollars for it. Supervisor Hoy stated he would work with Supervisor Coleman, from Castanea Township, to bring the boom mower out, so it could put on the township's tractor and tried out or they can get together and go and look at it when it is ready. It is a self-contained unit that will only need a PTO. Supervisor Hoy made the motion that the Township not purchase Woodward township's boom mower, but rather purchase the boom mower from Castanea Township. Chairman McCoy seconded the motion; the motion unanimously carried.

### **CCATO Convention**

Supervisor Hoy and Supervisor Mann stated they would like to attend the CCATO Convention to be held Thursday, June 1, 2023. Supervisor Hoy made a motion that two of the three Supervisors attend the CCATO Convention. Supervisor Mann seconded the motion; the motion unanimously carried. Township Secretary, Mary Myers, stated she would like to attend also. Supervisor Hoy amended his motion to state three people would attend. Chairman McCoy seconded the motion; the motion unanimously carried.

### **Employment Application for Skilled Laborer Updates**

The Township received three applications for the vacant skilled laborer position. Supervisor Hoy questioned if the Township had received an application from Kenny Porter? The Township Secretary stated, no, but she would look in the email and provide Kenny with an application after the meeting. It was requested the secretary make copies of each of the applications, with legal information redacted out, for the Township Supervisors to review and discuss at the June 2023 Public Meeting.

### **Service the Township Radios**

Supervisor Hoy stated when they were out working on Church Road, they were having trouble communicating with each other via the Township radios. He went on to make a motion to have all of the Township's radios serviced including the base unit at the building, the handheld units, and all of the units installed in the equipment. Chairman McCoy seconded the motion; the motion unanimously carried. Chairman McCoy is to contact Keystone Communication to set up a time for them to come out and service the radios.

### **Publication 9- PennDOT Safety**

Chairman McCoy stated Daren from PennDOT reminded him of Publication 9 when he was out to visit. Secretary Mary Myers stated she would print out a hardcopy of the publication for each of the Supervisors and place it in an envelope along with the redacted applications for employment. This will allow the Supervisors to stop into the office and pick up them up at their convenience. She stated the PDF is too big to send via email.

### **Policy & Procedure Manual Update**

After a brief discussion. The Board of Supervisors scheduled a Work Session was scheduled to be held on May 26, 2023 at 6:00 PM.

### **New Business:**

#### **Gallagher Township EMC Vacancy**

Supervisor Hoy stated he had spoken to Travis Reeder, the EMC for Castanea Township, and he was interested in being appointed the EMC for Gallagher Township as well. He went on to say, Travis has all of the required training. He will present a letter of interest from Travis at the June 2023 Public Meeting.

#### **Sealcoat Hollow & Church Road request Quotes**

After a brief discussion, the Board of Supervisors tabled the matter for further discussion and consideration at the June 2023 Public Meeting.

#### **PennDOT Complaint**

Chairman McCoy stated Daren Stover from PennDOT had been out to investigate a complaint he received regarding a safety hazard on the Township's roads. He stopped into the office to advise the Township he had received a safety complaint regarding antiskid build up on the Township roads and intersections. Chairman McCoy stated he explained to Daren the Township had addressed the antiskid on the roads. At the same time Daren was at the office, the vacuum truck was sweeping the Township roads.

#### **PennDOT Sign for KCSD**

Chairman McCoy Darren called and questioned if the Township had approved a school bus turn around sign to be placed on the Clinton County side of State Route 44, near Chickadee Lane. He went on to say the Township also was cc'd on a letter from PennDOT to Keystone Central School District in response to a letter to PennDOT's Regional office in Lycoming County by Shelly Ott Transportation Supervisor with KSCSD. Shelly request that a school bus turn around sign to be placed along State Route 44 across from Chickadee Lane on the Lycoming County side of State Route 44. After a brief discussion between the Public and Member of the Board, the Board tabled the matter until the Township receives a letter from Keystone Central School District requesting a sign be placed on the Clinton County side of State Route 44, near Chickadee Lane.

#### **Schedule Service for the Tractor**

Chairman McCoy stated the Township's tractor was due for its regular annual service. He went on to say, Hoover Tractor typically comes out to the Township Building and services the tractor on site. Supervisor Hoy made the motion for Chairman McCoy to schedule the tractor to be serviced by Hoover Tractor. Supervisor Mann seconded the motion; the motion unanimously carried.

#### **Tool Kit for Township Truck**

Supervisor Hoy stated when he and the other two Supervisors were working on the roads there was a need for tools and it required one of them to go back to the Township Building to get the required tools three times, so they were able to fix an equipment breakdown. For this reason, Supervisor Hoy made the motion to purchase a \$149.00 tool kit, with a bag, from Lowe's to be placed in the Township's truck. Chairman McCoy seconded the motion; the motion unanimously carried. Secretary Mary Myers stated she would pick up the tool kit at Lowe's when she goes to the Bank on Monday.

#### **Authorize Purchase of Chains for Chain Saw and Case of Pre-Mixed Gas for Saws**

A motion was made to purchase 2-packs of 3 each- 5/32-inch chain saw files; 2-cases of pre-mixed gas which consists of 6 quarts; and two chains for an 18-inch bar on a chain saw. Supervisor Hoy made the motion to authorize the purchase at Joe's in Jersey Shore, PA. Chairman McCoy seconded the motion; the motion unanimously carried.

#### **Time Card Approval**

After a brief discussion between the Supervisors, it was agreed the Township Secretary, Mary Myers, would be responsible for totaling the timecards for each pay period for all of the employees prior to emailing them out to the Members of the Board of Supervisors for approval. Supervisor Hoy made the motion to enact the above process. Supervisor Mann seconded the motion; the motion unanimously carried.

#### **Apply for Multi-Modal Grant / Dirt & Gravel Grant**

After a brief discussion, it was agreed the Members of the Board would get together to discuss available grants during a work session after the June 2023 Public Meeting. The Board was interested in possibly moving forward with applying for a DCED or a Dirt and Gravel Grant to repair Queens Run. Supervisor Hoy made a motion to table item until the June 2023 Regularly Scheduled Meeting when a Work Session will be scheduled. Supervisor seconded the motion; the motion unanimously carried.

#### **Adjourn**

Supervisor Hoy made a motion to adjourn the meeting. The motion was seconded by Supervisor Mann; the motion unanimously carried. The meeting was adjourned at 9:14 PM.

The next regularly scheduled meeting will be held on June 7, 2023 at 7:00 PM.

Gallagher Township Supervisor Chairman  
William McCoy

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Gallagher Township Secretary / Treasurer  
Mary J. Myers

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