

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

The June 2023 Regularly Scheduled Public Meeting of the Gallagher Township Board of Supervisors was called to order by Chairman Bill McCoy at 7:04 PM; followed by a moment of silence; and the Pledge of Allegiance.

In Attendance were Supervisors: Chairman Bill McCoy, Vice Chairman Brian Hoy and Supervisor Will Mann; Township Solicitor, Justin Houser; Township Secretary, Mary Myers; and Township Residents: Jody Ritter, Harvey Palmatary, Timothy Lester, Earl Straley, Jr., Warren and Jacque Gottshall, Loretta Coltrane, Tanner Wheeler, Kevin Hoy, Lauren Hoy, Jennifer Hoy, Ed Summerson, Rusty Weaver, Bob Greene, and Shane Greene.

When asked by Chairman McCoy, if anyone would be recording the meeting, Supervisor Brian Hoy, stated he would be recording the meeting.

A Consent Agenda was presented to the Board. It included the following regular monthly action items: **Meeting Minutes** for the May 3, 2023 Public Meeting and the May 24, 2023 Public Work Session; the **May 2023 Treasurer's Report** for the Township's finances May 1, 2023 up to and including May 31, 2023- the presented report included all Payroll, Liabilities, Invoices, and Deposits; and the **May 2023 Correspondences**.

Township resident, Jody Ritter noted there was a correction to the minutes under Central Mountain ATV Association and Northcentral PA ATV Initiative. In the minutes, the stated ATV/UTVs would be accessing SR 44 via Zink Fork Road. This was incorrect and needed to be changed to ATV/UTVs would be accessing SR 44 via the Haneyville DCNR ATV / UTV parking lot. Supervisor Hoy made a motion to approve the Consent Agenda with the above noted correction to the May 2023 Meeting Minutes. Supervisor Mann seconded the motion; the motion unanimously carried in a roll call vote.

Road Master Report

Road Master, Supervisor Hoy, stated Chairman McCoy had raked Old Pike Road and mowed around the Township Building. All of the ditches on Church Road and Hollow Road had been blown out and half of Queens Run had been completed. A tire collection in May was held for Gallagher Township residents. 71 tires were collected and delivered to the Wayne Township Landfill. The carport which was ordered late last year was installed and Chairman McCoy assisted with installation. The only remaining item to be completed on the carport is raising and extending the vent pipe on the fuel tank to outside and above the roof line.

Supervisor Mann stated the only item he was aware of that needed to be completed was blowing the ditches out on the remaining half of Queens Run. He went on to say Carrier Road needs to be blown out and the debris removed, but that is STLs responsibility. Supervisor Hoy said there's not too much there, but the issue is at the beginning of Carrier Road where all of the houses are and there is no place to blow the debris. Supervisor Mann stated the Township should talk to STL first to see if they would do it. Supervisor Hoy questioned Chairman McCoy to see what he thought of setting up a meeting with STL some Friday in the fall, to address cleaning the ditches and snow plowing on Carrier Road. There seems to be some miscommunication between STL and the contractors they hire to take care of the road. Chairman McCoy stated Seth from STL is very good and will come in. This action item will be added to the extended schedule for follow-up and scheduling at a later date.

Supervisor Hoy stated Township Secretary, Mary Myers, had picked up the tool kit for in the truck. He went on to say he had been to Joe's Equipment, but had forgotten to pick up the items for the township. He said he will try to pick them up something later this week or next week.

SEO Report

Chairman McCoy stated he hadn't received anything from Kellen Krape, SEO Officer. Secretary Mary Myers, stated she had worked on a project for Kellen in which he was requesting a copy of the original plan for Bear Pen Hollow, now known as Turkey Trot, when it was first approved showing where the original lots were located, the location of the perks and the supporting documents. She went on to say she was unable to find the information Kellen was looking for and that Kellen had also reached out to Matt at Clinton County; he too was unable to locate the information. Jennifer Hoy stated the site plan should be on file with the Register and Records office. If Kellen still needed the information, the Township Secretary was to have him reach out to Jennifer Hoy at the Register and Records office. The Township Secretary, thanked Jennifer Hoy and said, she wasn't aware the plans were available at the Register and Records office, but will remember if information is needed again.

Zoning and Land Use Permit Report

Chairman McCoy stated the Township had just received an email from Jennifer Albright with Albright Land Surveying LLC regarding the Dubbs property's proposed side lot addition. The addition parcel is a portion of Control #2-15286, lands of Rodgers Land Company LLC, and is located along Big Springs Road. This parcel consists of 38.734 Acres, about 4 acres of which is located in Gallagher Township. The entire property is wooded and mostly mountainside; there had been a camp located near the DCNR boundary, but was removed 10-15 years ago. This parcel will be added to the existing property of Patrick and Kirsten Dubbs, Control #29-21063, 647 Dutch Hollow Road.

Jennifer advised Pine Creek Township Planning signed the plan at their meeting last Wednesday and it is on the agenda for their June 7, 2023 Public Meeting for approval. It was the consensus of the Board to wait until both Pine Creek Township and Clinton County Planning Commission reached out to

Gallagher Township regarding the approved and submitted side lot addition and the Board has a site plan in hand showing where the house and septic are located. The Board requested Township Secretary, Mary Myers, to send any information received to Township Solicitor, Justin Houser for review.

Public Comment

Timothy Lester spoke to the situation with the school bus turn around. He stated he spoke with PennDOT and there is a lot of confusion pertaining to the school bus stops along SR 664 because it is the dividing line between two counties- Lycoming and Clinton. Many of the stops have been there for a long time and haven't been updated. Supervisor Hoy stated the school district sets the school bus stops. Timothy Lester said that is where the problem is, they aren't in communication with PennDOT.

Bob Green stated this was his first meeting and he heard mention of Carrier Road and STL. He questioned what the Board of Supervisors were referring to earlier in the meeting. Supervisor Hoy stated STL has an Excess Road Maintenance Agreement in place with the Township. As part of this agreement, they are to plow and cinder Carrier Road. He went on to say, the Board wants to get with STL because STL hired BryerTech to take care of the road; BryerTech then hired someone else and he feels there is some miscommunication between all parties.

Old Business:

Central Mountain ATV Association and Northcentral PA ATV Initiative – Legal Update & Letters from Township Residents regarding ATV/UTV use of Carrier Road – Chairman McCoy stated the Board had received a report from Solicitor Houser earlier in the day and he asked Solicitor Houser speak as to what the report said. He stated, the excess maintenance agreement, doesn't give the company using the road control of the road, nor does it remove control of the road from the Township. The Township is required under statute to open the road to the traveling public, even ATV/UTVs if they choose. This would be subject to an ordinance for any lawful traveling and he doesn't see any reason not to open it if the Board chooses. He went on to say, when a company uses a road for any permitted purpose, but they exceed the posted weight limit, the company is required to purchase a permit depending upon the weight of the vehicles and equipment using it. The permits issued are Type1, Type 2, and Type 3. When these permits are issued, they are required to enter into an excess maintenance agreement. Excess maintenance is defined as "*excessive normal maintenance caused by use by over-posted weight vehicles.*" They cannot get out of excess maintenance; they can only point to someone else and say that the damage it isn't their fault or caused by them.

The members of the Board were presented with four letters from property owners along Carrier Road who were in favor of opening up Carrier Road for ATV/UTV use. Supervisor Mann stated there were twenty property owners along Carrier Road. Township resident and Central Mountain ATV Association representative, Jody Ritter, stated if the Township chose to open Carrier Road, the ATV association had a special fund set aside to purchase signs for municipalities to post the roads advising of ATV/ UTV use. After a brief discussion between Members of the Board, the Township Solicitor, and members of the public, Chairman McCoy made the motion to have Justin move forward with the ordinance for the duration of the DCNR trial program and if that would change, the ordinance will be revisited. Supervisor Mann, seconded the motion; the motion unanimously carried in a roll call vote.

Gallagher Township EMC Vacancy

Supervisor Hoy stated Trevor Reeder was not interested in assuming the position of EMC for Gallagher Township because it is not worth the effort anymore. Resident Jody Ritter questioned what if we can't find anyone to fill the position? Chairman McCoy stated without an EMC the Township and the fire company won't be able to apply for grants as that was one of the questions asked on the grant application. The Board of Supervisors requested Township Secretary, Mary Myers, advertise the position. Board of Supervisors will review the applications received at the July 2023 Public Meeting.

Auditors Meeting / Minutes

Chairman McCoy stated he found an error in the Auditor's Meeting minutes. Brian Hoy is not Road Supervisor, but rather a Road Master. He questioned if the Solicitor the Auditors needed to meet again to correct the title. Township Auditor, Jody Ritter, stated it was a typo and questioned the Township Solicitor, Justin Houser, if it would be ok to retype the meeting minutes, have everyone resign the corrected copy and resubmit? Township Solicitor, Justin Houser, advised that would be fine.

Supervisor Mann questioned if the Board needed to approve the Auditors' Minutes at the next meeting? Township Solicitor, Justin Houser, advised, that no approval was necessary as the Auditors have the power to set the wages for the Board of Supervisors.

Review CPA Letters of Interest / 3-Year Contract for CPA Firm to complete the Annual DCED Audit of the Township's Finances

Chairman McCoy stated the Township had received a contract from a CPA firm interested in performing the Township's annual audit. Chairman McCoy opened the envelope and advised the Board and members of the public the contract was from Fiore Fedeli Snyder Carothers, LLP; the CPA firm the Township had previously contracted with to complete the annual audit the last three years. Fiore Fedeli Snyder Carothers, LLP contract was for both a three- and five-year period with the following maximum audit fee:

Three Year Contract Period:

- Year ending December 31, 2023 \$2800
- Year ending December 31, 2024 \$2900
- Year ending December 31, 2025 \$3000

Additional two-year option:

- Year ending December 31, 2026 \$3,000
- Year ending December 31, 2027 \$3,100

Chairman McCoy asked Township Solicitor, Justin Houser, if he would like to review the CPA contract prior to signing? He responded he would and asked that Township Secretary, Mary Myers, forward a copy to him via email. Township Resident, Jody Ritter, stated in speaking with other Township Officials at the CCATO Convention, they advised they were spending between \$6,000 and \$7,000 per year on their audit. Supervisor Hoy made the motion to approve the CPA proposal for five years pending the Solicitor's approval. Supervisor Mann seconded the motion; the motion unanimously carried in a roll call vote.

Employment for Skilled Laborer – Update on Progress, Discuss, Set Interview Dates

Chairman McCoy questioned if the board wanted to discuss or set interviews up for the vacant skilled laborer position. He went on to say the Township had received several applications to consider. Supervisor Mann stated the Board should get together and set up interviews; not necessarily at this time, but they should contact them to set- something up. Supervisor Hoy questioned Township Solicitor, Justin Houser, if the Board Members were able to interview the applicants? The Solicitor responded to advise, yes, they were able to get together to interview the applicants to gather information, but were unable to discuss the applicants or make a decision pertaining to hiring outside of a public meeting. Supervisor Mann stated they contact all of the applicants to set interviews up on an upcoming Friday before the next advertised Public Meeting. Supervisor Hoy stated they may need to set-up an evening interview for Kenny Porter. Supervisor Mann said, the Board would work together to figure everyone's schedule out and make it work.

Policy & Procedure Manual Update

Chairman McCoy advised the members of the public in attendance the Board had worked on the Policy and Procedure Manual and it was now in the Township Solicitor's hands to have the corrections made and be finetuned. Township Solicitor, Justin Houser, stated he had reviewed the changes and passed it along to his assistant to update before his final review. The item was tabled until the next meeting as the final version is still in progress.

DCED Grant and Dirt & Gravel Grant

Chairman McCoy questioned the member of the Board as to whether they wanted to apply for any DCED Grant and Dirt & Gravel Grants this year? He went on to say the DCED Grant the Township applied for last year was coming up and that there was a non-refundable cost of \$100.00 that would need to be paid at the time of application. Both Supervisor Mann and Supervisor Hoy agreed the Township should reapply again this year and they should set a time to sit down and work on it. Chairman McCoy made a motion to schedule a public Work Session to work on the DCED Grant Multi-Modal Grant. Supervisor Mann seconded the motion; the motion unanimously carried in a roll call vote. The Public Work Session was schedule to be held on Tuesday, June 27, 2023 at 6:00 PM. The Board authorized the Township Secretary to advertise the meeting in the Lock Haven Express.

Sealcoating Hollow Road

Chairman McCoy questioned the Members of the Board if they wanted to look at sealcoating the front section of Hollow Road or if they want to hold off because they were applying for the grant? Supervisor Hoy stated he didn't want to spend a lot of money on the road if they were applying for the grand. He went on to say, he did think the worst part of the road did need some attention, especially where the pipe had been installed back to Kibbler's. He estimated to do a single sealcoat on that part of the road would cost between \$8000 to \$9000. Chairman McCoy said it needs something just to keep it from breaking up. Supervisor Hoy made the motion to sealcoat Hollow Road from SR 664 to Kibbler's. Supervisor Mann, seconded the motion; the motion unanimously carried in a roll call vote. Chairman McCoy questioned if the Board wanted him to check with Daren Stover to see who was doing sealcoating in the area because Pine Creek Township was no longer doing it? Supervisor Hoy stated Daren Stover would be out on Friday, to meet with him to discuss Daylighting Queens Run Road and he would talk to him then. He went on to say he would check with Woodward and Pine Creek Townships to see who they use and the Township could go from there. Chairman McCoy stated the Township could look to see how much it would cost. If it was under \$12,500 threshold it could be done without getting quotes. Supervisor Mann stated the distance to be done is approximately ¼ of a mile. Supervisor Hoy said he guesses it shouldn't cost over \$10,000. He went on to say he would speak with John to get a rough idea of how much it will cost and who they use for the next meeting. Township Secretary, Mary Myers, questioned which account the Board was looking to used to pay for the project. Chairman McCoy stated it could be paid for with either the State or the ACT 13 account.

Boom Mower Update

Supervisor Hoy stated he had attended Castanea's Public Meeting on Monday, June 5, 2023. At this meeting it was decided Castanea Township would sell the Township their old boom mower for \$6,000. He went on to say at the previous month's meeting the Board had pre-approved spending \$4,000 to \$7,000 to purchase a boom mower. Supervisor Hoy made a motion to purchase a boom mower from Castanea Township. Chairman McCoy questioned if it was a good one? Supervisor Hoy answered, yes, it is 10 years old and you can't even tell that it is used. It is PTO driven and not a rotary head; it is a hammerhead flail mower type of thing with a 14 ft. reach that will cut up to 1 ½ diameter. It is all self-contained with its own controls and they will need to figure out how to install them in the tractor. He went on to say the mower comes with a spare lower arm. Castanea Township broke the lower arm on the mower and ordered a replacement for it, but it took too long to get so they had the broken one repaired. He plans to pick the mower up on his work trailer on Friday, June 16, 2023 and bring it out to the Township Building. Supervisor Mann seconded the motion. The Township secretary asked which account to cut the check from? She stated because it was a used piece of equipment, she was unable to utilize State funds. Chairman McCoy advised her to use ACT 13 funds. She went on to

say prior to cutting a check, she would need something stating the purchase price from Castanea Township. Supervisor Hoy stated he would get something and would take the check with him when he picked it up. He stated Supervisor Mann said he would go and help pick up the mower.

Chairman McCoy stated Hoover Tractor would be picking up the Township's Kioti to be serviced on Wednesday, June 14, 2023, so there may not be a tractor at the township Building to offload or attach the mower to on Friday, June 16, 2023. Supervisor Mann stated they would play it by ear.

Daylighting Queens Run Road

Supervisor Hoy stated the Board had looked at daylighting Queens Run Road from the intersection of SR 664 to Hollow Road. He went on to say he had spoken to Daren with PennDOT who was going to come out on Friday, June 9, 2023 at 7:30 AM and meet the Supervisors at the intersection on Queens Run. He went on to say he wasn't sure what the right-of-way was on Queens Run Road. Chairman McCoy stated 33 feet. Supervisor Hoy continued by saying the Township could remove trees up to 6 inches in diameter without property owner notification. Trees above 6 inches in diameter require the Township to notify the property owners. They then have the option to have the wood, once cut, left on their property or have the wood removed. Supervisor Hoy asked Secretary Mary Myers to compile a list of the property owners adjacent to Queens Run Road. He went on to say, on Friday, while they are out there, they could mark the center of the road and work on marking some of the trees. Daren with PennDOT was going to check with one of his co-workers to find out the specifics of what can and can't be done when daylighting. He was also going to put the bid packet together for the Township.

Supervisor Hoy continued stating the Township could use ACT 13 Funds to pay for the cost because it is considered public safety. He then asked how much the quote was the Township received last year from Saar's for the Arlee Grant? Township Secretary responded stating \$30,000. To which the Township Solicitor stated the job would need to be put out for bid due to exceeding cost threshold. Supervisor Hoy made a motion that we work on advertising daylighting Queens Run Road from the intersection of SR 664 to Hollow Road. Chairman McCoy seconded the motion; the motion unanimously carried in a roll call vote.

Jennifer Hoy questioned Chairman McCoy regarding purchasing the boom mower. She advised there was a first and second motion on the floor, but not a roll call vote. Chairman McCoy stated a first and a second was made and called for a roll call vote to move forward with purchasing the boom mower from Castanea Township for \$6000; the motion unanimously carried in a roll call vote.

Cleaning out Pipes on Church Road

Supervisor Mann stated he had spoken with Benson Probst out on Church Road to get a quote to have the ends of the pipes dug out. The quote he received was for \$1450.00. Supervisor Mann made the motion to hire Benson Probst Excavation to clean out the drainage pipes on Church Road. Supervisor Hoy stated Benson was only digging the ends out, and they would still need to blow them out. Supervisor Hoy stated he would bring the Woolrich Fire Company tanker truck out and questioned whether Chairman McCoy could use Haneyville Fire Company's tanker to flush out the pipes after they open the ends. Supervisor Hoy seconded the motion; the motion unanimously carried in a roll call vote.

Tractor Service Update

Previously Discussed.

Supervisor Hoy questioned Chairman McCoy to see if he had spoken to anyone regarding servicing the township radios? Chairman McCoy responded stating he has spoke with Keith at Keystone. Keith suggested that Chairman McCoy show the Members of the Board how to use the radios before he comes out and charges. He said they use their own repeater band and frequency. Keith thought the radios might be on the wrong frequency. It was agreed at the Work Session the Board would play with the radios to make sure they are working correctly.

New Business:

Clinton County CDBG Grant

After a brief discussion, the Board chose to pass and not pursue a Clinton County CDBG Grant at this time.

A & M Logging Road Bond Release for Church Road & Old Pike Road

Chairman McCoy stated he had received a call from A & M Logging to advise the Township they had completed their logging job on Old Pike and Church Road and requested that the Township release the road bond on those two roads, but keep the bond in place for Springers Corners Road. He went on to say A & M Logging had a job in Springers Corners they were working on. Chairman McCoy stated he had met with a representative from A & M on Old Pike to inspect and confirm the ditch had been properly repaired, opened back up where the pipe was removed and everything looked good. Supervisor Hoy made the motion to release the road bond on Church and Old Pike Roads, but keep the bond in place for Springers Corners Road. Supervisor Mann seconded the motion; the motion unanimously carried in a roll call vote.

2021 & 2022 State Account Audit by PA Auditor General

An Audit of the State Funds account was completed by Joel Long, on behalf of the Pennsylvania Department of the Auditor General for the fiscal years 2021 and 2022. No findings were found during the audit and copies of the report were provide to the Board for review.

Township Secretary, Mary Myers, also advised the Members of the Board the Worker's Compensation annual audit had been completed.

ADA

No action of discussion was held on this item.

Work Hours / Available Work / Work Schedule

Chairman McCoy question the Members of the Board what they wanted to do with the work hours, available work and work schedule? He went on to say there was work that could be done at the Township Building. Supervisor Mann said it would be helpful to have the interviews and have other people to help, but he was satisfied with the way they have been doing it. Taking the available work that is there and taking it between the three of them to get it done. Not having a set work schedule has been working. Chairman McCoy said the problem is, not everything is getting done and proceeded to go down a list of items. Supervisor Hoy stated he advised the Members of the Board to let him know if there was work that needed done and he would address it. Supervisor Mann also stated he had asked for a list of things that needed done so it could be delegated amongst the three of them. Chairman McCoy said he had read a list off of things that needed done at a public meeting. Supervisor Hoy stated it is a matter of communication and Chairman McCoy doesn't communicate. He went on to say that he has requested several times for Chairman McCoy to text his days worked and his hours and he hasn't done it yet. Chairman McCoy questioned who he was to report to? Supervisor Hoy stated, me, I am the Road Master and you report to me. Read the job description. Chairman McCoy then asked if the Road Master sets the hours; when you work and when you can't work? Supervisor Hoy, answered yes and proceeded to read the Road Master job description out loud. And said to Chairman McCoy, if you don't like it, maybe you should resign as Foreman. Chairman McCoy then advised he was resigning a foreman. Supervisor Hoy made the motion to accept the resignation. Supervisor Mann seconded the motion.

Chairman McCoy stated he did not submit his resignation in writing and there is another problem. He wasn't going to mention his ADA accommodation, but proceeded to read out loud his restrictions; which was put in place in 2016, when he was hired by the Township. Township Solicitor, Justin Houser, stated this was the first time he was hearing about this. He went on to say if someone would like him to look at the documents, he was willing to do so and he advised the Board he would not be making any comments and strongly advised the Board to not comment on it also.

Worker's Compensation Insurance for Supervisors / Supplemental Insurance

Chairman McCoy stated the township received an email from Beth Riccardo advising Township Supervisors are not covered under the Township's worker's compensation insurance while they are performing their elected duties because they are not considered employees, but rather elected officials. Township supervisors are afforded coverage when acting as an employee. She stated the Board might look into disability policies such as short term and long-term policies. The Board chose not to move forward with pursuing the presented insurance options because there is no benefit.

Lawnmower to Mow Grass at Township Building

Chairman McCoy said the Township does have a push mower and in the past, he has brought his personal lawnmower down to mow the lawn at the township building, but he wasn't doing it anymore. He went on to say the Board might consider purchasing a riding mower. Supervisor Mann stated everyone is mowing their grass and they would take care of mowing the grass at the township building.

PSATS Administrator Training

Chairman McCoy stated Township Secretary, Mary Myers, was registered to attend the PSSATS Administrator Summit to be held on Monday, June 12, 2023 in State College, PA. He said he would like to attend.

Upcoming ESM Training

Chairman McCoy stated there was an ESM Training for Dirt and Gravel Certification scheduled to be held in Wellsboro, PA on September 6 & 7 from 8:00 AM to 4:00 PM each day. This training is required by Dirt and Gravel in order to apply for grants. He went on to say, his certification was good through 2024, so he wouldn't need to attend, but questioned if the other Board members were interested. Supervisor Mann stated we would try to attend. Supervisor Hoy questioned why the training isn't ever held locally. He went on to say, he was interested in attending, but in the spring of 2024. Township Secretary, Mary Myers, requested that Supervisor Mann let her know if he was going to attend and she would make the necessary reservation.

Flagger Training

Chairman McCoy stated there was an upcoming local Flagger Certification Training sponsored by PSATS which was scheduled to be held on June 15, 2023 at Porter Township Community Building, Mill Hall, PA from 9:00 am until noon. He stated he was already certified and questioned if the other members would like to attend? If any of the Members of the Board were interested in attending, the Township Secretary advised she would make the necessary reservations. Supervisor Hoy stated will pass on this training and will attend training over the winter and during spring months when his work slows down as it is a busy time of year for him.

Adjourn

Chairman McCoy advised the Board, Secretary, Mary Myers, would not be able to attend the July 5, 2023 Public Meeting because she will be out of town that week. He questioned if the Board would like to reschedule the meeting so she could be in attendance. After a brief discussion, it was decided to hold the meeting on the scheduled date and one of the members of the Board would be responsible for recording the meeting.

With no additional business to discuss or public comment to be heard, Supervisor Hoy made a motion to adjourn the meeting. The motion was seconded by Supervisor Mann; the motion unanimously carried in a roll call vote. The meeting was adjourned at 8:37 PM.

The next regularly scheduled meeting will be held on July 5, 2023 at 7:00 PM.

Gallagher Township Supervisor Chairman
William McCoy

Gallagher Township Secretary / Treasurer
Mary J. Myers
