

January 8, 2018

SPECIAL MEETING OF McKEAN TOWNSHIP SUPERVISORS

CALL TO ORDER

A special meeting of the Board of Supervisors was called to order by Chair Janice Dennis at 3:00 p.m. on January 8, 2018 as previously publicized in accordance with the Sunshine Act and took place at the McKean Township Municipal Bldg.

ROLL CALL

Members present were Janice Dennis, Brian Cooper, and Ronald Bole. The meeting was recorded by the Board.

The purpose of the special meeting was possible litigation and any other business as may come before the Board.

Jan Dennis moved that McKean Township appeal the determination of the Board of Auditors with respect to the 2018 compensation package, second by Ron Bole. Discussion followed and it was noted that this appeal is being pursued due to the fact that the Auditors cut compensation from Judge Domitrovich's Court Order for 2017 wages as follows: Jan Dennis' pay was cut from \$21.75 per hour to \$15.16 per hour, Ron Bole's pay was cut from an hourly rate of \$26.17 to an hourly rate of \$18.50, and Brian Cooper's pay was cut from \$26.17 per hour to \$20.68 per hour with three holidays and one personal day being cut from Mr. Cooper. Also, overtime compensation was taken away which is in violation of the Federal Fair Labor Wage Act even though the Auditors had agreed to during the court appointed mediation process ordered by Judge Domitrovich in 2017. Ron Bole and Brian Cooper added that they have no choice but to begin the appeal process due to violation of Federal Wage Law and Domitrovich's Court Order. Motion passed by unanimous roll call vote.

Brian stated that he had asked Barb Craig for the names of the 16 out of the 21 municipalities she had surveyed. She had stated that all 16 were surveyed, and further that she had taken the bottom 5,000 and rounded McKean into that. She still had not given the names and wages of the 16 she had surveyed of which we would be in the top of the 16 and not in the middle which was still done incorrectly for a median wage. In the latest letter to the editor of the Edinboro News from Mrs. Craig, she stated that the Auditors had won three court cases out of four was incorrect, in that there were two court cases with the Auditors of which one was for the wages and the other was the township trying to recoup Auditor attorney costs. Jan Dennis stated that the other two possibly were related to the felony charges brought about by the State Police which was reduced down to disorderly conduct charges. Brian further added that their methodology was totally wrong in coming up with appropriate wages. Another matter was that Mr. Szymanowski stated at their Auditor meeting that the illegal taping was bogus in that they did not turn on the recorder which Brian noted was incorrect according to the State Police affidavit which indicates the State Trooper identified the voices on the tape recorder as Cooper, Little, and Dillen.

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Mr. Szymanowski pointed out that the law states the Board of Supervisors cannot sue the Board of Auditors or any other Boards. He noted that the Board of Supervisors got away with it the last time and the Supervisors should check with their attorney on this.

It was noted that Mr. Szymanowski presented 2017 auditor expenses relating to \$17.00 in parking and mileage for court related hearings and Ms. Craig presented 2017 expenses acting as Auditor for such expenses as postage, office supplies, tape recorder, copies, court filing and mileage at a total of \$571.94. Ron stated that he would like to see where in the Second Class Code those expenses may be paid, as he reviewed the Code and could not find the section which would authorize payment. With no objections from the Board, this matter was tabled until the February 1st meeting in order for the Auditors to provide this information authorizing reimbursement of those expenses.

Jan Dennis moved to set the hourly wage for Roadmaster Jeffrey Brooks at \$24.15 effective January 1, 2018, second by Brian Cooper. Discussion followed and Brian noted depending on the outcome of the court regarding 2018 wages, we will revisit Mr. Brook's hourly wage. There was no public comment and the motion passed by unanimous roll call vote.

Jan Dennis moved that McKean Township enter into a Cooperative Agreement for Construction of Facilities for Recreational Fishing and Boating with the PA Fish & Boat Commission for a grant in the amount of \$154,903, second by Brian Cooper. There was no public comment and the motion passed by unanimous roll call vote.

PUBLIC PARTICIPATION

Barbara Craig, East Stancliff Road

Ms. Craig stated that when she surveyed similar townships, it is from 0 to 4,999 which is 16 and includes McKean Township. She answered the population she used was taken from Section 606 of the Code Book which is compensation for Supervisors.

Dan Renick, Hamot Road

Mr. Renick asked how the Auditors were reimbursed in the past. Jan Dennis answered that when the township approves their attendance at a school or conference, they are reimbursed for expenses and when Auditors audit the accounts, they are paid \$10 per hour of which is all in accordance with the Code.

Ron Bole noted that the only time there is generally overtime is when the snow is coming down and if you don't want to get out of your house, then we won't put in any overtime, which Mr. Renick answered "great". Ron stated that he will keep the roads clear for safety reasons as he's seen too many accidents with many deaths due to bad road conditions. Ron added that the roads will be kept clean whether Mr. Renick likes it or not. Brian added that he's received nothing but compliments on how nice our roads are.

Brian noted to Mrs. Craig that there are municipalities closer in population to McKean Township but they are above the 4,999 which Mrs. Craig used in her methodology. It would appear that a township with a population of 5,100 would be closer to McKean Township rather than a

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township with a population of 1,000. He further added that she was incorrect with her methodology. Mrs. Craig agreed that Judge Domitrovich also did not know what she was doing.

ADJURNMENT

With no objections, the meeting adjourned at 3:27 p.m.

Respectfully submitted,

Janice T. Dennis, Secretary