

**Donegal Township  
Supervisors Monthly Meeting Minutes  
Thursday, May 12, 2022  
7:00 P. M.**

The meeting of the Board of Supervisors of Donegal Township was called to order by Chairman, James Bauer Jr at 7:01 p.m. The meeting was held at the West Alexander Fire Department. The meeting was held as an in-person meeting. Board members in attendance by Roll Call; James Bauer Jr., Edward Shingle, and Randy Polan. Also in attendance: Frank Gustine - Solicitor. Prayer was given by Jeff Dittmer. The Pledge of Allegiance to the Flag was recited. Chairman Bauer announced the meeting was being recorded.

**Announcement of Recording**

Announcement of Executive Session held on May 2, 2022 from 10:00 am to 1:05 pm - litigation docket 2020-7052 and 2020-7051 and personnel discussion

Announcement of Executive Session held on May 6, 2022 from 1:00 pm to 3:30 pm - Docket # was 2021-6772

Announced Executive Session held on May 10, 2022 from 1:00 pm to 2:30 pm Docket # 2021-6772

Mr. Shingle made a motion to adopt the agenda giving the chair the privilege to adjust. Mr. Polan seconded the motion.

VOTES:                      3 - YES                      0 - NO

Motion carried

**PUBLIC COMMENT:**

Kathleen Croft gave the Board a packet of papers, pertaining to the Pension plan audit, says the 1st page police one; 2017-2020, the 2nd page under the condition 2018-2021 and added that together but when you go to the next few pages they counted the money we received but didn't count the money we paid in 2021 towards the pension and wondering if that is the difference. She claims if we do the math it is only like \$20.00 that we owe because the state didn't give us credit for 2021 and stated it is worth asking some questions. Mr. Shingle says he talked to the guy and clarified that there is no real penalty and no real time limit; they will hold up the next installment until they see compliance. Mr. Shingle stated he asked them about what Mrs. Croft brought up.

Kathy Gilmore says there is no transparency, when people do RTK, its nope, we gotta redact everything, especially the attorney bills, it's us who put you in office and us who are paying his bill but you don't think we don't have right to see what's creating these high bills, the emergency management plan, if you read the PIMA and FEMA plans and how they instruct Municipalities to do it, all of this is suppose to be open to the public and suppose to be posted, where the public can come in and read it, how are we supposed to know, if we have an emergency going on; you cannot call every resident and tell them, it needs to be somewhere where the residents can see it and the only thing that you can redact out of it is if you put something in there pertaining to



terrorist and hopefully you were smart enough to keep the terrorist out of it and separate from the emergency management plan. I don't understand why everything has to be redacted when the residents paying the bills don't have a right to see anything. There is absolutely no transparency here now, none. I can see by the agenda that yins are making an awful lot of decisions on your own not sitting at that table, you can tell that everything has been discussed and not being discussed at the table; you just bring it up and vote on it, so you made up your mind prior to coming to the meetings.

JD Martin asked if they did that at the agenda meeting. Mr. Bauer stated we talked about a lot at the agenda meeting. Gilmore stated you didn't talk about getting outside labor council, that wasn't discussed. Mr. Bauer said it was actually done at an executive session and announced at the last meeting. Gilmore asked if they were going to explain why. Doug Teagarden asked if he was hired at an executive session. Bauer said nope, I said we interviewed outside council. Gilmore asked why when we have attorneys. Mr. Bauer stated we have 2 contracts coming up this year. Gilmore asked how many grievances we have. Bauer wasn't sure how many are on the books right now.

Mary Fidler wants to know since both supervisors went to the convention why one is 488 mile and the other is 638; you went to the same place and why weren't you registered through the Township. Mr. Polan stated that Jim's route took him to the turnpike and I took the 79 to 68 and down and around' I got the mileage off of the car that I took. Mrs. Fidler said it goes from point A to point B. Gilmore asked why would you choose to go the longest route. Mr. Polan stated he doesn't like the turnpike and there's tolls. Mrs Fidler asked why didn't register through the Township so wouldn't have to be reimbursed for hotel and registration. Mr. Bauer said because he registered him himself. Gilmore asked why not use the Secretary, who would have paid all those bills up front. Bauer stated he didn't mind doing it himself and prefers to make his hotels reservations. Gilmore stated that is her job. Bauer states he prefers to make his hotel reservations himself, not where someone else stuck him.

JD Martin, the recycling, future suggestion, making checking into recycling bins since there really is nowhere around here anymore to do recycling, at least on clean up days, maybe permanently. For glass, plastic, tires; look into a program or charity. Asked if they had the oath of office and what that is, he wouldn't mind hearing it. Mentioned that Jim spoke about figures from the lawsuit on the election had cost the Township. So you have 3 Township residents all who are former supervisors that were sworn in, and I don't know the oath and obligation but the duty and obligation is to represent the best interest of the people of Donegal Township and do what's in their best interest, so you have 3 former supervisors and they are residents who filed this lawsuit against the people of the Township who they are supposed to be representing their best interest while they were sitting supervisors, there has to be some ethical issues there that they did while in office and have since continued that and continued it again; they been told no at the polls by the people they been told no in the court at least 3-4 times. Gilmore said they haven't been told no they just keep moving it around, Lucas didn't want to judge on it and sent it to the Commonwealth, Commonwealth didn't know what he wanted to do so sent it back to Lucas and Lucas now sent it back to them. Martin says he believes they have been told no, dismissed; each time it gets appealed it costs us money.

Pam Kinsky asked what the attorney fees last month were. Bauer said about \$7,800 he believes.

APPROVAL OF MINUTES:



Mr. Shingle made a motion to approve the minutes from the Board of Supervisors Regular Monthly Meeting held on April 14, 2022. Mr Bauer amended to include adding the change discussed with Heather to state in the section to read "Mr. Polan and I". Mr. Bauer seconded the motion.

VOTES: 3 - YES

0 - NO

Motion carried

Mr. Shingle made a motion to approve the bills as listed on the unpaid bill list dated April 30, 2022. Mr. Polan seconded the motion with amending to include Coen bill for \$646.36 from the General Fund, explanation of Heather Wood's medical reimbursement, and clarify what Easterns Fasteners is for.

VOTES: 3 - YES

0 - NO

Motion carried

#### OLD BUSINESS:

Mr. Bauer made a motion to table approving moving the \$44,835 to an approved pension plan based on the information that Kathy Croft gave them and note that there is not a penalty for it not being paid, no deadline and not costing the Township anything for it not being paid, but pay the \$377 to the Commonwealth out of the General Fund. Mr Polan seconded the motion.

VOTES: 3 - YES

0 - NO

Motion carried

#### NEW BUSINESS:

Mr. Shingle made a motion to approve moving the budgeted wages and expenses for the police department for the first quarter of 2022 from ACT 13 to the general fund. (using payroll of 1-17-22 thru 3-31-22) in the amount of \$32,888.37. Mr. Polan seconded the motion.

VOTES: 3 - YES

0 - NO

Motion carried

Mr. Bauer made a motion to approve moving the allowable wages only for the road crew for the first quarter of 2022 from Liquid fuels to the general fund. (using payroll of 1/17/22 thru 3-31-22) in the amount of \$32,671.15. Mr. Shingle seconded the motion.

VOTES: 3 - YES

0 - NO

Motion carried

Mr. Polan made a motion to repair the maintenance shed garage door by changing the track, rollers, cables, and new opener from the quote supplied by Johnson's Door Company in the amount of \$2170.00 and to be paid out of the general fund. Mr. Bauer seconded the motion.

VOTES: 3 - YES

0 - NO

Motion carried

Mr. Bauer made a motion to table the campground ordinance until next month. Mr. Polan seconded the motion.

VOTES: 3 - YES

0 - NO

Motion carried

Mr. Bauer made a motion to participate as a vendor in the LIHWAP program. Secretary/Treasurer to start the application and provide Wheeling Contract when it's been motioned for approval. Mr. Shingle seconded the motion.

VOTES: 3 - YES

0 - NO

Motion carried



Mr. Polan made a motion to purchase the flow testing equipment for the West Alexander Volunteer Fire Department, to be paid out of ACT 13 and not to exceed \$1000.00. Mr. Shingle seconded the motion.

VOTES: 3 - YES

0 - NO

Motion carried

Mr. Bauer made a motion to approve payment in the amount of \$18,816.75 payable to Strnisha Excavating, Inc for the site upgrades located at the Sewage Treatment Plant and to be paid out of the ARPA account. A final walk through and a letter of completion was conducted by Harshman CE Group, LLC. amending to pending paperwork proof that it was completed to Harshman's satisfaction.

VOTES: 3 - YES

0 - NO

Motion carried

Mr. Shingle made a motion to approve PennDots' Winter Maintenance Snow Removal Agreement in the amount of \$13,405.11. Mr. Polan seconded the motion

VOTES: 3 - YES

0 - NO

Motion carried

Mr. Shingle made a motion to refund the woman's money and get it off the agenda because it does not apply to the ordinance. Mr. Polan seconded the motion.

VOTES: 3 - YES

0 - NO

Motion carried

Mr. Shingle made a motion to reimburse Jim Bauer for lodging (\$412.92), Registration fee (\$175.00) and mileage; 488 miles (\$283.04) for a total of \$870.96 and to be paid out of the general fund for attending the PSATS conference. Mr. Polan seconded the motion.

VOTES: 2 - YES

0 - NO

1 - AB-Bauer

Motion carried

Mr. Bauer added that there was nothing turned in for food or turnpike fees

Mr. Bauer made a motion to reimburse Randy Polan for mileage; 636 miles (\$368.88) and to be paid out of the general fund for attending the PSATS conference. Mr. Shingle seconded with amending to keep with consistency and have Randy fill out the spreadsheet and turn in

VOTES 2 - YES

0 - NO

1 - AB - Polan

Motion carried

Mr. Bauer made the motion to purchase a new printer, not to exceed \$1000.00 and to be paid out of the general fund. Mr. Polan seconded the motion.

VOTES: 3 - YES

0 - NO

Motion carried

Mr. Bauer made a motion to reimburse the Secretary/Treasurer her mileage; spreadsheet supplied to the Board in the amount of \$157.90 and to be paid out of the general fund. Mr. Polan seconded the motion.

VOTES: 3 - YES

0 - NO

Motion carried

Mr. Shingle made a motion to appoint Vorys, Sater, Seymour, and Pease LLP on an as needed basis to represent us in special labor council in situations and contracts coming up this year. Mr. Polan seconded the motion

VOTES: 3 - YES 0 - NO

Motion carried

Mr. Shingle made a motion to move Board of Supervisors monthly meetings and agenda meetings back to 34 N. Liberty St. West Alexander, PA 15376 and to have Secretary/Treasurer advertise the same. Mr. Bauer seconded the motion

VOTES: 3 - YES 0 - NO

Motion carried

Building is safe but not moving the secretary/treasurer back yet

Mr. Shingle made a motion to table the purchase surveillance cameras from \_\_\_\_\_ not to exceed \$ \_\_\_\_\_ and to be paid out of the \_\_\_\_\_ account. Mr. Polan seconded the motion.

VOTES: 3 - YES 0 - NO

Motion carried

Mr. Bauer made a motion to add an item to the agenda; believe to have a serious possible security problem; township emergency and will advertise the agenda within 24 hours. Polan seconded the motion.

VOTES: 3 - YES 0 - NO

Motion carried

Mr. Bauer made a motion to have a digital forensic audit done on the Secretary/Treasurer computer. Polan seconded the motion.

VOTES: 3 - YES 0 - NO

Motion carried

NO executive session

Mr. Bauer made a motion to adjourn. Mr. Shingle seconded the motion

VOTES: 3 - YES 0 - NO

Motion carried

Adjourned at 8:24 pm