

**MINUTES  
DONEGAL TOWNSHIP  
BOARD OF SUPERVISORS  
JANUARY 20, 2020**

The regular January meeting of the Donegal Township Board of Supervisors was called to order at 7:00 p.m. in the gymnasium at the Donegal Township municipal building. The meeting was moved from the normal meeting room to accommodate the large audience in attendance.

Resident Jeff Dittmer offered an opening prayer.

Chairman Richard Fidler led the meeting with the Pledge of Allegiance.

The chairman asked resident Douglas Teagarden to take the minutes of the meeting as the township is currently without a secretary. Mr. Teagarden had served as an assistant secretary for the township previously.

**ANNOUNCEMENT OF MEETING RULES**

Mr. Fidler announced the board would be following the township's official Meeting Rules of Conduct, per a previous resolution (Resolution 2016-7) adopted by the township establishing Meeting Rules, including Rules of Order, Rules of Conduct, and Regulations for the Meeting Minutes and Agenda of its Public Meetings. A copy of the Meeting Rules of Conduct were made available to members of the audience. It was noted that If Rules of Conduct are not followed, those violating the Rules will be given a warning. If violations persist, the individual will be asked to exit the public meeting.

**ROLL CALL OF MEMBERS**

The roll was called with all supervisors being present: Tammi Iams, Kathleen Croft, Richard Martin, Richard Fidler, and Edward Shingle. Also attending was Solicitor Lane Turturice.

**ADOPTION OF AGENDA**

The board adopted the meeting agenda for January 20, 2020. Motion by Ms. Iams. Second by Mr. Martin. Motion carried 3-2. YES: Iams, Martin, Fidler. NO: Shingle, Croft.

**PERSONS REQUESTING TO ADDRESS THE BOARD**

Retired District Justice Jay Dutton, a township resident, spoke and presented a letter to the board in regards to his support for Police Chief John Yankosek. He also voiced his concerns over the division in the community.

**PUBLIC PARTICIPATION**

Prior to the public participate portion of the agenda, Mr. Fidler addressed how the public participation portion of the meeting would be conducted:

**PUBLIC PARTICIPATION ON AGENDA ITEMS ONLY:**

*Individuals or group representatives wishing to address the Board of Supervisors on agenda items will have 5 minutes time to address the Board during the public participation portion of the meeting. We prefer that if there is a group, a representative be chosen to speak. Audience comments will not be permitted following the public participation portion of the meeting; therefore, we ask that you please review the agenda for any item(s) you may wish to discuss. We have had individuals in the past direct comments to the Board of Supervisors that were not correct or could not be documented. For that reason, we ask that your information be to the point and factual. Please understand that the Board of Supervisors may not be able to address your question at a public meeting for various reasons related to confidentiality or other legalities. Although the Board may not be able to answer your question at this meeting, if possible, the Board will refer your request or recommendation to the proper department or township official for any necessary action. All persons who wish to participate under this section shall raise their hand to be recognized by the Chairman, shall state their first and last name and address.*

The following residents addressed the board under the public participation section of the meeting: Eric Graham, Betty Shingle, Frank Archambault, Robert Wright, Julie Graham, Marcie Wright, Sheri Laird. James Martin, Steve Antionette.

**MOTION TO REPEAL MEETING RULES**

Ms. Croft made a motion to repeal Resolution 2016-7 (regarding meeting rules). Second by Mr. Shingle. Motion failed 2-3. YES: Shingle, Croft. NO: Iams, Martin, Fidler.

**APPROVAL OF MOTION TO ALLOW FOR ADDITIONAL PUBLIC COMMENT**

Ms. Croft made a motion to allow for public comment at the end of the meeting. Second by Mr. Shingle. Motion passed 4-1. YES: Shingle, Croft, Iams, Fidler. NO: Martin.

**APPROVAL OF THE MINUTES**

Ms. Iams made a motion to approve the minutes from Board of Supervisors Reorganizational Meeting held on January 6, 2020, subject to changes as suggested by Ms. Croft and Mr. Fidler. Second by Mr. Martin. Motion carried 4-1. YES: Iams, Croft, Fidler, Martin. NO: Shingle. Mr. Fidler and Ms. Croft will forward the suggested changes for addition to these minutes.

**APPROVAL OF STATEMENT OF ACCOUNTS**

Ms. Iams made a motion to approve a "Statement of Accounts," as presented by Ms. Iams who is the Supervisor in charge of the office. The solicitor suggested not calling it a "Treasurer's Report" as the township has not appointed a treasurer. Second by Mr. Martin. Motion carried 3-2. YES: Iams, Martin, Fidler. NO: Shingle, Croft.

## **APPOINTMENT OF INTERIM TREASURER**

The board held a discussion regarding the lack of a township treasurer. Ms. Iams produced a letter from an insurance carrier, acknowledging she had been bonded as treasurer. Ms. Iams paid for the bond (in the amount of \$1 million) out of her own funds. It was recommended the bond should be higher, approximately \$1.3 million.

Ms. Iams was named interim treasurer subject to the increase of the bond amount. Second by Mr. Martin. Motion carried 3-2. YES: Iams, Martin, Fidler. NO: Shingle, Croft.

## **MOTION TO PAY THE BILLS**

Mr. Fidler made a motion to pay the bills as listed on the unpaid bill list, subject to the correct bond being in place. Second by Mr. Martin. Motion carried 3-2. YES: Iams, Martin, Fidler. NO: Shingle, Croft.

## **DEPARTMENTAL REPORTS**

There were no reports for Code Enforcement or Engineer, as neither were present.

Fire Chief Eric Graham gave the annual fire department report. In 2019, there were 335 calls. The ISO rating was maintained.

There was no Fire Marshall Report.

## **OFFICE: MOTION TO APPROVE ACCOUNTANT'S COPY OF BOOKS**

Ms. Iams made a motion to have the auditor establish an accountant copy of the Quickbooks with the end date of December 31, 2019, along with assigning a password of their choice to the accountant copy which doesn't allow any correcting entries or adjustments to that period until the completion of 2019 audit. This will allow auditors to work with a copy of the financials while business continues for 2020 within the office. Seconded by Mr. Fidler. Motion carried. YES: Iams, Martin, Fidler. NO: Shingle, Croft.

**WATER AND SEWER:** Ms. Iams reported that DEP had recently inspected water system, something done every five years. There were findings which will be addressed.

The Parks and Recreation Board and the Road Department gave brief reports.

John Yankosek gave the monthly police report. There were 85 calls answered for December, 203 events.

There was no solicitor's report.

## **OLD BUSINESS**

1. Previously-tabled motion: Range Cut & Bore permits and escrow. No action taken. Remains tabled.

### **POLICE WAGES**

2. Previously-tabled motion: Police Wages:  
Mr. Shingle made a motion to remove this item from the table. Second by Mrs. Croft. Motion failed 2-3. YES: Croft, Shingle. NO: Iams, Fidler, Martin. Remains tabled.

### **EXECUTIVE SESSION**

Board entered Executive Session at 8:51 p.m. Motion made by Ms. Iams. Second by Mr. Fidler. Stated purpose of the Executive Session: *"To discuss matters of personnel, litigation, and/or potential litigation and labor contract."* Motion carried 4-1. YES: Iams, Martin, Fidler, Shingle. NO: Croft.

Board returned from Executive Session at 10:08 p.m. It was reported that the board would be meeting with Chief Yankosek in the coming week.

3. Previously-tabled Motion: Planning Commission Ordinance. No action taken. Remains tabled.

### **APPROVAL OF 2020 FEE SCHEDULE**

4. Previously-tabled Motion: 2020 Fee Schedule: Mrs. Iams made a motion to adopt 2020 Fee Schedule subject to modifications regarding temporary worksite trailer fees covered under a separate township resolution. Second by Fidler. Motion carried 4-1. YES: Iams, Fidler, Martin, Shingle. NO: Croft.
5. Previously-tabled Motion: Township Internet use & Social Media Policy. No action taken. Remains tabled.

### **NEW BUSINESS**

#### **APPROVAL TO RETURN SOUTHWEST ENERGY ESCROW**

Ms. Iams made a motion to return \$5,000 held in escrow for Southwest Energy Company - for Siesmic testing to Southwestern Energy Company to the address they provided. Seconded by Mr. Martin. Motion passed 4-1. YES: Iams, Croft, Fidler, Martin. NO: Croft.

#### **APPROVAL OF SETTING 2020 MILLAGE RATE**

Ms. Iams made a motion to set the Millage Rate for the 2020 tax year at 1.05 or .00105, (same as 2019) Seconded by Mr. Martin. Motion carried 5-0. YES: Iams, Croft, Fidler, Martin, Shingle.

#### **APPROVEAL OF AWARDING BID FOR POGUE ROAD IMPROVEMENT PROJECT**

Ms. Iams made a motion to award the bid per the recommendation of the township engineer to Costabile Construction, Inc. for Option 2 for the amount of \$67,957.00 for the Pogue Road Improvement Project. The Dirt and Gravel grant amount for the project is not to exceed \$62,800.00. Second by Mr. Shingle. Motion carried 5-0. YES: Iams, Croft, Fidler, Martin, Shingle.

#### **APPROVAL TO ADVERTISE TOWNSHIP MANAGER ORDINANCE**

Ms. Iams made a motion to advertise the Donegal Township Manager Ordinance as presented. Seconded by Mr. Martin. Motion carried 3-2: YES: Iams, Martin, Fidler. NO: Shingle, Croft

There was a discussion on the CDBG Block Grant proposed for Poplar Ave, West Alexander. Ms. Iams reported that the paperwork was received in September, but not returned to the county. It was suggested the proper officials at the county be contacted to ascertain the status.

The board discussed the sewage tap fee of \$1,200 for the Millers. No action was taken was taken in regards to a request for reduction.

#### **APPROVAL OF MARK WEST DRIVEWAY PERMITS**

Mr. Fidler made a motion to approve Mark West for Driveway Permits on Backbone Road & Hicks Road provided the necessary pipes are installed. Second by Ms. Iams. Motion carried. YES: Iams, Croft, Fidler, Martin, Shingle.

#### **ADDITIONAL PUBLIC COMMENT**

The Board opened the meeting for public comment where a number of items were discussed.

#### **APPOINTMENT OF JOHN YANKOSEK AS CHIEF OF POLICE**

Mr. Motion made a motion to retain John Yankosek as Chief of Police. Second by Ms. Croft. Motion passed 5-0. YES: Iams, Croft, Fidler, Martin, Shingle.

#### **ADJOURNMENT**

Mr. Fidler made a motion to adjourn the meeting at 11 p.m. Second by Mr. Martin. The motion passed 3-2. YES: Iams, Martin, Fidler. NO: Shingle, Croft.

**Respectfully submitted, as prepared by Mr. Teagarden, to all supervisors for consideration as adoption as the official minutes of the meeting.**