

Donegal Township Board of Supervisors
Regular Monthly Meeting
March 30, 2020
(Rescheduled from March 16, 2020)
7:10 P.M.

The meeting of the Board of Supervisors of Donegal Township was called to order by Chairman Richard Fidler at 7:00 p.m. The meeting was held as a virtual meeting utilizing a Zoom Video Conferencing Application with residents attending by computer, cell phone or landline due to the Coronavirus emergency declaration and in the interest of public safety. Board Members in attendance by Roll Call: Kathleen Croft, Richard Fidler, Tammi Iams, Richard Martin, Edward Shingle. Also in attendance: Judith Taylor—Secretary/Treasurer, Lane Turturice—Solicitor. The Pledge of Allegiance to the Flag was recited. Chairman Fidler announced the meeting was being recorded, and the video would be posted to the Township website.

Chairman Fidler announced the Board of Supervisors held an Executive Session on Wednesday, February 26, 2020 from 2:39 PM to 3:53 PM at the township building for the purposes of Police Services in Buffalo Township, personnel issues regarding the Secretary/Treasurer position and Litigation.

Public Comment On Agenda Items Only:

Katherine Prescott, 162 Ramage Road, submitted several comments by email prior to the meeting. She noted that the newspaper advertisement did not state how residents could submit their comments; the Treasurer's report should be posted for public review prior to approval by the Board; questioned Board of Auditors request to hire an independent attorney; inquired how many attorneys the Township had communicated with regarding legal issues; questioned availability of current invoice from the Township solicitor; questioned if the recording of the meeting would be posted to the website

Eric Graham, 83 Highland Avenue, inquired why the Board of Auditors needed to hire its own solicitor. Kathy Gilmore stated they were looking over the township's finances, and if they found that money was spent without Board approval or the township had suffered any loss, they were informing the Board they would need to hire an attorney unaffiliated with the township's solicitor with the possibility they could surcharge in the event of any irregular procedures.

Sherry Laird, 393 Delashawn Road, inquired if the Board had chosen an attorney. Ms. Gilmore stated they had not, Mr. Hasson was a possible choice if needed.

Ms. Croft asked if the auditors had any experience with Mr. Hasson. Ms. Gilmore stated she had no prior experience with him. Other members of the Board of Auditors stated they also had no prior experience with Mr. Hasson.

Betty Shingle, 385 Lake Road, commented that the Board should only be addressing essential items during a time of emergency.

Mr. Shingle noted that the announcement of the Board's meeting with the Emergency Management Coordinator was not on the agenda.

Chairman Fidler announced the Board had met in executive session on March 20, 2020 from 9:30 am to 12:30 pm with Zack Prescott, Emergency Management Coordinator, concerning actions to be taken in regards to public safety and welfare during the Coronavirus emergency. Also attending were Chief Yancosek, Eric Graham and Judy Taylor.

Mr. Shingle stated that the Board should only be taking action to pay the bills.

Ms. Croft stated she watched a PSATS town hall webinar on the Sunshine Law and it was recommended that the township declare an emergency which can be extended for thirty days, as ZOOM meetings may be questionable but are being allowed.

Motion to approve the employment agreement for Judith L. Taylor for the position of Secretary/Treasurer

Motion by Richard Fidler, Second by Richard Martin

Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—no, Shingle—no. Motion carried.

Motion to appoint Judith L. Taylor as Township Secretary/Treasurer

Motion by Richard Fidler, Second by Richard Martin

Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—yes, Shingle—no. Motion carried.

Ms. Shingle commented that the previous secretary was making less than half of Ms. Taylor's salary.

Mr. Shingle asked to see Judith Taylor's bond, which was placed on the screen for review. The invoice for the bond was on the unpaid bill list to be approved.

Motion to authorize the secretary/treasurer to request from all banks online access, Remote Check Depositing and new signature cards listing the following account signers: Richard Fidler, Tammi Iams, Kathleen Croft, Richard Martin, Edward Shingle, Judith L. Taylor

Motion by Tammi Iams, Second by Richard Martin

Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—yes, Shingle—yes. Motion carried.

Motion to approve the minutes from the Board of Supervisors Regular Monthly Meeting held on February 17, 2020

Motion by Tammi Iams, Second by Richard Martin

Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—no, Shingle—no. Motion carried.

Motion to approve the Treasurer's Report dated February 18, 2020 through March 30, 2020

Motion by Richard Fidler, Second by Richard Martin

Prior to the vote, several items were questioned including the temporary office employee fee and secretary/treasurer payroll dated March 27, 2020

Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—no, Shingle—no. Motion carried.

Motion to approve the bills as listed on the unpaid bill list

Motion by Richard Fidler, Second by Tammi Iams

Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—no, Shingle—no. Motion carried.

Ms. Laird commented on the solicitor's bill in regards to payment for an interview with Channel 11 and questioned the auditors whom they had contacted in regard to the Buffalo contract. The solicitor stated that Mr. Fidler had requested he conduct the interview. The auditors stated to their best recall, they contacted Vice Chairman Tammi Iams.

Motion to approve the Hunter bill for \$539.79 from the February 17, 2020 bill list as it has been determined that the parts for seals, which are a wear item, and labor are not covered under extended warranty

Motion by Tammi Iams, Second by Richard Martin

Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—yes, Shingle—yes. Motion carried.

The Code Enforcement report was presented by Richard Fidler. There were two complaints for garbage violations. He noted the Code Enforcement Officer would like to have complaints submitted in writing on forms similar to police department complaint forms. There is a complaint form on line that can also be used for any complaints that come in by phone.

The Fire Department report was presented by Eric Graham, Township Fire Marshall for the period from February 1 through March 30, 2020. He noted 41 calls and 757 man hours; he started a list of businesses who don't have Knox Boxes and will visit the businesses after the social distancing order is lifted to provide this information, and requested the township provide information and the ordinance requiring Knox Boxes to Harold Ivery, Municipal Consulting Service.

The report on Office & Water was presented by Tammi Iams. She noted she had spoken to John Foris, and the water is being treated and meets DEP specs. She reported on the UPMC health insurance renewal rates with an increase of \$3,448.64 that renews in May. Ms. Iams also presented information to the Board, Zack Prescott, and Chief Yancosek on CivicReady, a company that can handle mass communication notifications to Township residents as needed by texts, or emails to cell phones or landlines. She will have them come in to present a demonstration of the program and will obtain quotes from other firms.

Motion to approve the Employee Health Insurance Renewal of the current UPMC Gold PPO Plan for an estimated annual premium in the amount of \$74,195.64

Motion by Tammi Iams, Second by Richard Martin

Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—yes, Shingle—yes. Motion carried.

There was no report on Parks & Recreation.

Chief John Yancosek presented the Police report for February 2020. The department provided approximately 616 man hours and documented 107 calls for service. Also attached were reports for Claysville Borough and Buffalo Township.

Mr. Fidler presented the road department report. The road crew was fixing slips, storm debris and damage, one road, Wilhelm Road was closed. Ms. Croft noted that she had received complaints about truck traffic on Railroad Street and Backbone Road was slipping. Mr. Shingle asked about Southwest's damages to Main Road. Mr. Fidler stated he had spoken to them and they intend to pay for the costs of the township's previous repair to the road and would work with the township on the current repairs, possibly paying for the stone. Mr. Shingle also asked about an attempt to obtain jersey barriers from a project at Rt 40 and Lake Road, Mr. Fidler said he found out the state had received them. Mr. Shingle also asked about the road crew's work schedule and suggested possibly having an executive session on Tuesday.

Mr. Fidler presented quotes received for the purchase of a new 2020 Ford F550 truck as follows, with the lead time for delivery of the finished truck being at least six months:
Fox Ford: Truck--Cab & Chassis for \$47,798, with 25% discount off wholesale price on all parts
Suppes Ford: Truck--Cab & Chassis for \$47,798
Stephenson Equipment: Dump Bed, Snowplow and Spreader for \$42,600
U.S. Municipal: Dump Bed, Snowplow and Spreader for \$32,175

Motion to approve Truck Quote from Fox Ford in the amount of \$47,498 with 25% discount off wholesale price on all parts, and Dump Bed Quote from U.S. Municipal in the amount of \$32,175 from the Act 13 Account for purchase

Motion by Richard Fidler, Second by Richard Martin

Roll Call Votes: Fidler—yes, Iams—yes, Martin—yes, Croft—no, Shingle—no. Motion carried.

Motion to table a motion to approve a \$150.00 monthly stipend to Ed Kraushaar for performing assigned job duties outside of the Crew Leader job description

Motion by Kathleen Croft, Second by Edward Shingle

Roll Call Vote: Fidler—no, Iams—no, Martin—no, Croft—yes, Shingle—yes. Motion failed.

Motion to approve a \$150.00 monthly stipend to Ed Kraushaar for performing assigned job duties outside of the Crew Leader job description

Motion by Richard Martin, Second by Tammi Iams

Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—no, Shingle—no. Motion carried.

Motion to appoint Richard Fidler as Roadmaster on an as needed basis and compensated at the current rate set by the Township Board of Auditors

Motion by Tammi Iams, Second by Richard Martin

Roll Call Vote: Fidler—abstain, Iams—yes, Martin—yes, Croft—no, Shingle—no. Motion failed.

The solicitor presented his report including the proposed agreement given to Buffalo Township's solicitor, Dennis Makel, to present to the Board at their next meeting; and the negotiating teams have agreed to a way forward to start negotiating a new police contract.

Motion to remove Range Resources Cut & Bore permits and escrow from the table

Motion by Tammi Iams, Second by Richard Martin

Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—yes, Shingle—yes. Motion carried.

Motion to release Range Resources escrow in the amount of \$12,000.00, and road bonds for Road Cut Permits for Cunningham, Grimes, Old National and Wilhelm Roads from January 2019

Motion by Tammi Iams, Second by Richard Martin

Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—yes, Shingle—no. Motion carried.

Motion to remove Mark West release Escrow and Road Bond for Buck Run Road .80 miles from the table

Motion by Tammi Iams, Second by Richard Fidler

Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—yes, Shingle—yes. Motion carried.

Motion to release Mark West release Escrow in the amount of \$3,000.00 and Road Bond for Buck Run Road .80 miles as this was issued for Mark West to fix a slip on their Right of Way and were on road for approximately one week in September 2019

Motion by Tammi Iams, Second by Richard Martin

Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—yes, Shingle—no. Motion carried.

The Emergency Management Coordinator, Zack Prescott, reported that he had supplied his report to the Secretary/Treasurer prior to the meeting in the event he could not attend, and a copy was included in the Board's packet. He noted the information on the mandatory NIMS training for Township officials, police officers, fire department members and possibly road department employees is in the report.

The Board considered a request received from Washington County Assessment office regarding the Estate of John R Miller, which are two parcels on one tract and deed lying in Donegal and West Finley Townships that for many years have been taxed separately by the respective townships, and to sign a letter stating the estate does not need to go through a minor subdivision process.

Motion to sign a letter to Washington County Assessment Office for Estate of John R Miller Estate dated February 5, 2020

Motion by Tammi Iams, Second by Richard Fidler

Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—yes, Shingle—yes. Motion carried.

Motion to accept with regrets Jack Camerson's letter of resignation dated February 28, 2020
Motion by Kathleen Croft, Second by Tammi Iams

Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—no, Shingle—no. Motion carried.

Motion to pay Jack Camerson his days owed and all that it includes, including his one day of pay

Motion by Kathleen Croft, Second by Edward Shingle

Prior to the vote, Ms. Croft amended her motion, with the second of Mr. Shingle, as follows:

Motion to pay Jack Camerson his days owed and all that it includes, including his one day of pay, and to include any retroactive pay due to ongoing contract issues

Roll Call Vote: Fidler—yes, Iams—no, Martin—no, Croft—yes, Shingle—yes. Motion carried.

Motion for the Police Chief and the Board of Supervisors to interview applicants for Part Time Police Officers

Motion by Richard Fidler, Second by Tammi Iams

Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—yes, Shingle—yes. Motion carried.

The Board considered a letter from the Board of Auditors requesting to hire Chris Hesson as their own legal representative.

Motion to table the motion to approve Auditors requesting to hire Chris Hesson as their legal representative paid by the township from the General Fund account

Motion by Kathleen Croft, Second by Edward Shingle 25601137

Roll Call Vote: Fidler—no, Iams—no, Martin—no, Croft—yes, Shingle—yes. Motion failed.

Motion to approve Auditors requesting to hire Chris Hesson as their legal representative paid by the township from the General Fund account

Motion by Tammi Iams, Second by Richard Martin

Prior to the vote, Ms. Iams amended the motion, with the second of Mr. Martin, as follows:

Motion to approve Auditors to hire an attorney as their legal representative at a rate not to exceed \$125.00 per hour paid by the township from the General Fund account

Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—yes, Shingle—no. Motion carried.

Motion to authorize Chief Yancosek to sign the Mutual Aid Agreement from Washington County DA's Office on behalf of Donegal Township

Motion by Richard Fidler, Second by Tammi Iams

Roll Call Votes: Fidler—yes, Iams—yes, Martin—no, Croft—yes, Shingle—yes. Motion carried.

Motion to table the motion to approve SWN Renewal of Heavy Hauling Permit for Main Road until a letter is sent to SWN concerning payment of previous costs

Motion by Kathleen Croft, Second by Edward Shingle

Roll Call Vote: Fidler—no, Iams—no, Martin—no, Croft—yes, Shingle—yes. Motion failed.

Motion to not approve SWN Renewal of Heavy Hauling Permit for Main Road until the road is brought back to its original condition

Motion by Edward Shingle, Second Kathleen Croft

Roll Call Vote: Fidler—no, Iams—yes, Martin—yes, Croft—yes, Shingle—yes. Motion carried.

Motion to approve Mark West renewal of Heavy Hauling Permits for 1.84 miles on Cunningham Road and .25 miles on Shepard Road

Motion by Richard Fidler, Second by Tammi Iams

Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—yes, Shingle—yes. Motion carried.

Motion to approve Tunnel Ridge, LLC renewal of Heavy Hauling Permits for 3.0 miles on Waynesburg Road, 5.0 miles on Old National Pike and 1.0 mile on Ebbert Road

Motion by Tammi Iams, Second by Richard Martin

Prior to the vote, Ms. Iams amended her motion with the second of Mr. Martin as follows:

Motion to approve Tunnel Ridge, LLC renewal of Heavy Hauling Permits for 3.0 miles on Waynesburg Road, 5.0 miles on Old National Pike and 1.0 mile on Ebbert Road, subject to an engineering inspection required for Waynesburg Road due to the changes made to the road surface under the previous permit, and subject to filming of all three roads by the engineer
Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—yes, Shingle—yes. Motion carried.

The Board discussed the Pogue Road Dirt and Gravel Road project application for payment #1 from Costabile Construction in the amount of \$ 67,957.00. The project has been completed in general conformance with the specifications and drawings.

Motion to approve payment #1 and final for Costabile Construction in the amount of \$67,957.00 for the Pogue Road Dirt and Gravel Roads Project

Motion by Richard Fidler, Second by Tammi Iams

Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—yes, Shingle—yes. Motion carried.

Motion to adjourn the meeting at 11:40 p.m.

Motion by Tammi Iams, Second by Richard Martin

Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—no, Shingle—no.


Judith L. Taylor, Secretary/Treasurer