

Donegal Township Board of Supervisors
Regular Monthly Meeting
July 28, 2020
Rescheduled from July 20, 2020
7:00 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, and in-person due to the Coronavirus pandemic. Board Members in attendance by Roll Call: Richard Fidler, Tammi Iams, Richard Martin, Kathleen Croft, Edward Shingle. Also in attendance: Lane Turturice—Solicitor, Judith Taylor—Secretary/Treasurer. 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 an executive session was held on July 24, 2020 at 6:00 p.m. for purposes of litigation with Richard Fidler, Tammi Iams and Richard Martin in attendance.

Public Comment On Agenda Items Only:

Jack Vensel, 99 Main St, requested to begin holding meetings in the township building again. His group has been observing all COVID-19 requirements. The updated policies and procedures for the use and rental of township facilities was on the agenda for approval.

Betty Shingle, 385 Lake Rd, commented that in-person Board meetings should begin again.

Motion to permit Jack Vensel to use the room in the Township building to hold meetings

Motion by Edward Shingle, Second by Kathleen Croft

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

Motion to adopt the meeting agenda as presented

Motion by Richard Fidler, Second by Tammi Iams

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

Motion to approve the minutes from the June 22, 2020 Board of Supervisors Regular Monthly meeting

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 June 18, 2020 through July 15, 2020

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 approve the bills as listed on the unpaid bill list dated as of July 30, 2020

Motion by Richard Fidler, Second by Richard Martin

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

The Code Enforcement report was presented by Judy Taylor. There were two citations for high grass, four notices of violation for high grass and one for garbage, and the CEO answered a question on a possible boundary dispute.

Eric Graham, Township Fire Marshal, presented the Fire Department report for July 2020. There were 21 calls for service, average response time of 7 minutes, 185 man hours. Mr. Graham also noted that some members of the fire department had applied for real estate tax refund that had not yet been paid to them. The secretary/treasurer will review the ordinance with the solicitor and make payment.

The Fire Marshal report for July 2020 was presented by Eric Graham. He had contacted eight of the eleven business owners concerning the installation of Knox Boxes at their businesses, all of whom were cooperating with the requirement; all of the fire hydrants had been tested and the information given to John Foris. He would like an update on the repairs to the fire hydrants that had failed inspection.

Motion to approve the updated policies and procedures, rental application, and waiver release form for use and/or rental of Township buildings and facilities
Motion by Tammi Iams, Second by Richard Martin

During the discussion there was concern that the proposed policies and procedures were too focused on the current conditions related to the coronavirus. Kathy Prescott, 162 Ramage Rd, commented that the policies and procedures should not have to be rewritten as the Governor's orders changed.

Prior to the vote, Ms. Iams amended her motion to remove the updated policies and procedures and restated her motion as follows:

Motion to approve the rental application and waiver release form for use and/or rental of Township buildings and facilities

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 approve the purchase and installation of two magnetic flow meters from CW Automation & Integration for the Sewage Treatment Plant in the amount of \$10,989, to be paid out of the Act 13 Fund

Motion by Tammi Iams, Second by Richard Martin

Prior to the vote a motion to table was made as follows:

Motion to table the motion to approve the purchase and installation of two magnetic flow meters from CW Automation & Integration for the Sewage Treatment Plant in the amount of \$10,989, to be paid out of the Act 13 Fund, and to get other quotes

Motion by Edward Shingle, Second by Kathleen Croft

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

Roll Call Vote on motion to approve purchase and installation of two magnetic flow meters: Fidler—yes, Iams—yes, Martin—yes, Croft—no, Shingle—no. Motion carried.

Mrs. Croft asked the record to show that she and Mr. Shingle's objection was they wanted additional quotes and were not against bringing the sewage treatment plant into compliance with the DEP. The solicitor stated his legal opinion was that further quotes were not required.

Motion to approve the request of Ethan Ward for an easement for the installation of a private waterline in the Township Right-of-Way on Greaves Road to his property at 39 Greaves Road, with all costs to be paid by the applicant, and subject to approval of the final easement agreement and inspection of the installation

Motion by Tammi Iams, Second by Richard Martin

Josh Carroll, attorney for Ethan Ward, offered further information on Mr. Ward's request to install a private waterline and a new electrical power line in the Township's right-of-way to his property on Greaves Road. He is requesting permission to prepare to proceed with proposed rights-of-way and documentation of the proposed lines with township solicitor approval. Ms. Croft questioned the amount of water estimated to be used and in the event the waterline was installed could it be turned over to the township in the future.

Kathy Prescott commented that the Township Engineer should also review the plans.

Prior to the vote Ms. Iams withdrew her motion with the concurrence of Mr. Martin.

Motion to approve the solicitor and the engineer to work with Josh Carroll, the attorney for Ethan Ward, to develop necessary easements and permits for perpetual rights-of-way on Greaves Road

Motion by Richard Fidler, Second by Edward Shingle

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

Proposed Watermain Rules and Regulations—continued review of draft rules and regulations and the Draft Sewage Rules and Regulations and example rates will be supplied to the Board for their review.

Motion to approve application to the Redevelopment Authority for a grant through the Local Share Account, and to authorize Integrated Environmental Services and Widmer Engineering to prepare and submit the application. The motion was held in abeyance for further information and consideration at the next meeting.

Kathy Prescott commented that the Local Share Account may not be the appropriate grant for the Dry Ridge project as it may not be considered a public project.

There was no Parks & Rec report.

Chief John Yancosek presented the Police report for June 2020. There were approximately 510 man hours, 90 calls for service, 224 events. The officers patrolled approximately 3,116 miles and used approximately 201.9 gallons of fuel. A copy of the Claysville Borough police report was attached for Board review.

Motion to hire Carl Talbert as a Donegal Township police officer on a part time basis as needed

Motion by Richard Fidler, Second by Richard Martin

Prior to the vote, Mr. Fidler amended his motion to include subject to passing a background check

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

Mr. Shingle asked what wage rate was offered to the police officer candidates. The solicitor clarified that the status quo contract that immediately preceded the December 2019 contract is currently in effect.

Motion to hire Michael Wylie as a Donegal Township police officer on a part time basis as needed, subject to passing a background check

Motion by Richard Fidler, Second by Richard Martin

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

The Road Department report was presented by Richard Fidler. Installed pipes on Waynesburg Road, patched potholes, covered up bleed-ups, serviced two tractors, the Woods mower is fixed and running the way it should, thanks to Dick Martin, the Peterbilt is fixed, worked on dirt and gravel road projects, worked on Main Road.

Motion to rent a grader from Murphy Tractor for one month for a cost of \$8,000.00

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 adopt Resolution No. 4-2020 approving the FY 2020-2025 Winter Traffic Services “Municipal Snow” Agreement in the aggregate amount of \$67,551.80

Motion by Richard Fidler, Second by Tammi Iams

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

Motion to accept the bids for road materials through the Washington County Joint Municipal Purchasing Program

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 SWN Production Company LLC Heavy Hauling Permit for 1.2 miles on Main Road, with renewal fees of \$250.00, updated application, contractors list, required road bond, and certificate of insurance have been received, and subject to receipt of the check for prior repairs

Motion by Richard Fidler, Second by Richard Martin

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

Motion to hold an executive session regarding the solicitor’s report

Motion by Kathleen Croft, Second by Edward Shingle

Ms. Croft rescinded her motion. The Board agreed to schedule the executive session in the next week.

Motion to hire Brittan Laird as a full time police officer as soon as eligible

Motion by Edward Shingle, Second by Kathleen Croft

Prior to the vote, a motion to table was made as follows:

Motion to table the motion to hire Brittan Laird as a full time police officer as soon as eligible

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 take off the table the motion to remove Supervisors authority to spend \$2,500 per month per department unless for equipment or tires

Motion by Edward Shingle, Second by Kathleen Croft

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

Motion to take off the table the motion to have the Board of Supervisors sit down with Buffalo Township Board of Supervisors to work on the contract for police services

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 take off the table the motion to move forward with the lawsuit filed by Donegal Township against the Donegal Police Bargaining Unit
Motion by Edward Shingle, Second by Kathleen Croft
Roll Call Vote: Fidler—no, Iams—no, Martin—no, Croft—yes, Shingle—yes. Motion failed.

Motion to adopt Resolution No 5-2020 to place a referendum on the next general or municipal ballot to reduce the Board of Supervisors from five to three members
Motion by Kathleen Croft, Second by Edward Shingle
Prior to the vote, a motion to table was made as follows:

Motion to table the motion to adopt Resolution No 5-2020 to place a referendum on the next general or municipal ballot to reduce the Board of Supervisors from five to three members
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 a refund to Paul and Brenda Schilinski, Parcel No. 230-004-00-00-0004-00, in the amount of \$40.14 for 2020 real estate tax overpayment due to a Washington County property reassessment
Motion by Richard Fidler, Second by Richard Martin
Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—yes, Shingle—yes. Motion carried.

Motion to approve the request of the Donegal Township Board of Auditors for an additional 50 hours per auditor in order to complete the 2019 audit
Motion by Richard Fidler, Second by Richard Martin
Prior to the vote, a motion to table was made as follows:

Motion to table the motion to approve the request of the Donegal Township Board of Auditors for an additional 50 hours per auditor in order to complete the 2019 audit
Motion by Edward Shingle, Second by Kathleen Croft
Roll Call Vote: Fidler—no, Iams—no, Martin—no, Croft—yes, Shingle—yes. Motion failed.

Roll Call Vote on motion to approve additional 50 hours per auditor: Fidler—yes, Iams—yes, Martin—yes, Croft—no, Shingle—no. Motion carried.

Motion to donate \$25,000 to both West Alexander Fire Department and Claysville Fire Department, to be paid out of the Act 13 Fund
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 advertise a budget workshop on August 10, 2020 at 7:00 p.m. to reconcile the 2020 budget

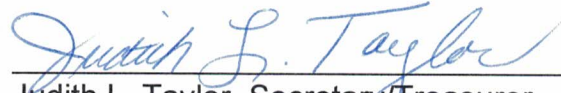
Motion by Edward Shingle, Second by Tammi Iams

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

Motion to adjourn the meeting at 10:50 p.m.

Motion by Richard Martin, Second by Richard Fidler

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


Judith L. Taylor, Secretary/Treasurer