

Donegal Township Board of Supervisors
Regular Monthly Meeting
August 17, 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 is also being recorded by the public.

Chairman Fidler announced an executive session was held on July 24, 2020 at 6:00 p.m. for purposes of litigation. In attendance was Richard Fidler, Tammi Iams and Richard Martin.

Public Comment On Agenda Items Only:

Kathy Prescott, 162 Ramage Road, commented on the recent expenditures by the Board totaling approximately \$650,000 and items proposed for review at the budget workshop.

J. D. Martin, 553 Route 40 West, questioned why the new truck was purchased from Fox Ford. Rick Fidler stated that Fox Ford is a COSTARS vendor, offered a discount on parts and quicker service.

Betty Shingle, 385 Lake Road, questioned why date of the unpaid bill list past the meeting date. It allows bills received with due dates after the meeting to be paid when due.

Kathleen Miller, 29 S. Liberty St., requested that Ms. Croft, turn off her video and mute the background discussions in the meeting room.

Tom Greaves, 647 Old Brick Road, commented that meetings should be in-person instead of zoom.

Motion to adopt the meeting agenda as presented

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 minutes from the July 28, 2020 Board of Supervisors Regular Monthly meeting

Motion by Tammi Iams, Second by Richard Fidler

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

Motion to approve the minutes from the August 10, 2020 Board of Supervisors 2020 Budget Review Workshop

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 July 16, 2020 through August 12, 2020

Motion by Richard Fidler, Second by Tammi Iams

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

The Board reviewed the solicitors' bills. In regard to the police contract negotiations, the solicitor reported Mr. Berggren stated there were tentative agreements on all disputed issues except for a couple of issues relating to the Police Chief's position.

Motion to approve the bills as listed on the unpaid bill list dated as of August 31, 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 for July 2020 was read by Judy Taylor. There were six citations for high grass, upcoming hearings in July and August, and he followed up on a problem of stray cats in a mobile home park that has been remedied.

Eric Graham, Township Fire Marshal, presented the Fire Department report for July 2020. There were 19 calls for service, average response time of 12 minutes, 25 seconds due to the distance involved, 253 man hours.

Eric Graham presented the Fire Marshal report for July 2020. He had received a hydrant flow testing quote in the amount of \$5,700.00, and John Foris is working on repairs to the fire hydrants that had failed inspection. Ms. Iams stated that Mr. Foris is also requesting quotes for the flow testing.

Motion to approve payment to Slusarczyk Excavating LLC for Invoice No 1 (Final) in the amount of \$18,790.00 for the Storm Water Repairs for Sewage Treatment Plant Project, as according to the recommendation of Widmer Engineering Inc, 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 approve Tammi Iams and Judy Taylor to attend a training class, Financial Management Basics for Small Utilities, on September 9, 2020 at the Fairfield Inn & Suites, Washington PA, for a cost of \$120.00 per person, for a total cost of \$240.00

Motion by Richard Fidler, Second by Richard Martin

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

John Foris, Integrated Environmental Services, presented a project for Board consideration for a Local Share Account grant application, consisting of moving a sewage lateral currently on private property on Dry Ridge Road. The Board had previously approved a grant through the **PA Small Water Grant Program** for moving the waterline portion of the project on the same property.

Motion to approve application to the Redevelopment Authority for a grant through the Local Share Account, for Project #1 Dry Ridge Road Project, in the approximate amount of \$158,000.00 plus required matching funds **in the amount \$50,000.00**, and to authorize Integrated Environmental Services and Widmer Engineering to prepare and submit the application, for a cost not to exceed \$750.00

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 approve quotes received from W.C. Weil Company for the rebuilding of two Hydromatic Pumps as follows: (1) HPG HHS SN: G10392 in the amount of \$4,212.00; (2) Model S4F5, 5HP, SN: 558169 in the amount of \$3,661.00, for a total cost of \$7,873.00, to be paid out of 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.

The Board received the Proposed Sewage Rules and Regulations for review; and will supply any comments on the previously supplied Proposed Watermain Rules and Regulations.

Josh Carroll, attorney for Ethan Ward, presented an update on the questions raised at the last meeting for the easements for private waterline and electric line installation on Greaves Road. The waterline and electric line will remain private. John Foris suggested the size of the waterline to be one (1) inch for better water quality. Mr. Carroll had supplied two easement agreements and drawings to the Township engineer for review, but had not yet received a response.

Motion to approve use of the rights-of way, subject to engineering and code enforcement review and all requirements are met for the property at 39 Greaves Road

Motion by Richard Fidler, Second by Richard Martin

Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—abstain, due to a business relationship with the property owner, Shingle—yes. Motion carried.

There was no report on Parks & Recreation.

Chief John Yancosek presented the Police report for July 2020. There were 528 man hours, 74 calls for service, 224 events. Also attached were reports for Claysville Borough. The decommissioned patrol vehicle will be listed for sale on Municibid.

Ed Kraushaar presented the road report. The road crew were working on grading and ditching Main Road, all tar and chip roads were ditched.

Motion to approve purchase of a John Deere 672GP MotorGrader for an approximate cost of \$265,490.00, to be paid out of the Act 13 Fund

Motion by Richard Fidler, Second by Richard Martin

During discussion the following public comments were offered:

J. D. Martin, 553 Route 40 West, questioned if the rental of a grader for a month every year could perform all of the grading work needed, and if the purchase of a used grader was considered.

Bill Riggle, 972 Beham Ridge Road, commented that more money than the cost of the grader was wasted over the previous two years.

Mr. Shingle asked the solicitor if three bids were required for this purchase. The solicitor stated that bidding was not necessary if the purchase was made through the COSTARS program.

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

Motion to table the motion to approve purchase of a John Deere 672GP MotorGrader for an approximate cost of \$265,490.00, to be paid out of the Act 13 Fund

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 purchase a John Deere 672GP MotorGrader: Fidler—yes, Iams—yes, Martin—yes, Croft—no, Shingle—no. Motion carried.

Lane Turturice presented his solicitor report. The State Office of Open Records ruled in the Township's favor and denied the appeal of Ms. Croft for a copy of the NDA ruling that it was exempt from disclosure, and Ms. Shingle's appeal in the same matter was dismissed.

The Police Association has notified the solicitor that they will not sign the Memorandum of Understanding because it was negotiated by Jack Camerson's attorney and the Township. It is their position that even though they filed a grievance on behalf of Mr. Camerson, which is still outstanding, the Police Association has no part in it. The solicitor recommended the Township approve the Memorandum of Understanding as presented and signed by Jack Camerson and his attorney.

Motion to approve Memorandum of Understanding between the Township and the Donegal Township Police Association Regarding Jack Camerson Dated August 14, 2020

Motion by Tammi Iams, Second by Richard Fidler

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

Motion to approve EEOC Release Agreement and PIRMA Release Agreement with Sharon Balach

Motion by Tammi Iams, Second by Kathleen Croft

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

The solicitor requested the Board of Supervisors to meet in executive session within the next ten days to two weeks.

Motion to take off the table the motion to adopt Resolution 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 Edward Shingle, Second by Kathleen Croft

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

The Board took no action on the motion.

Motion to allow public comment at the end of the meeting

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 allow Kathleen Croft to draft a landlord ordinance and a noise ordinance that exempts agriculture

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 the terms of the proposal sent over by Buffalo

Motion by Edward Shingle, Second by Kathleen Croft

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

Motion to table the motion to approve the terms of the proposal sent over by Buffalo

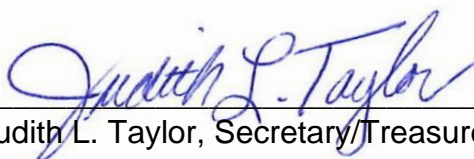
Motion by Tammi Iams, Second by Richard Martin

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

Motion to adjourn the meeting at 10:24 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