

Donegal Township Board of Supervisors
Regular Monthly Meeting
October 19, 2020
7:00 P.M.

The meeting of the Board of Supervisors of Donegal Township was called to order by Chairman Richard Fidler at 7:05 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.

Public Comment On Agenda Items Only:

Thomas Teagarden, 13 S. Liberty Street, West Alexander, supplied a copy of another municipality's landlord ordinance for the Board's review.

J. D. Martin, 15 Lake Road, West Alexander, commented that the Board should be meeting in person, and possibly some residents were not able to attend by zoom; he also commented on wasteful spending.

Kathleen Miller, 29 S. Liberty Street, West Alexander, commented that zoom meetings should continue and residents may attend zoom meetings in the homes of others with access.

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 September 21, 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 September 17, 2020 through October 14, 2020

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

Motion by Tammi Iams, Second by Richard Fidler

During discussion of the Board of Auditors' invoices, a question was raised if the salary limit in the Second Class Township Code of \$1,000.00 per auditor for the 2019 audit of the accounts and finances could be exceeded. Auditor Kathleen Gilmore stated that the Board of Auditors performed an audit of the Secretary/Treasurer's office simultaneously as required due to the resignation of Sharon Balach as of January 8, 2020. The auditors will amend their invoice to show the hours spent on each audit. The Auditors also suggested the Board of Supervisors

consider the possibility of quarterly audits of the books and records as noted in a recent article in the PSATS Township News.

Ms. Iams amended her motion with the concurrence of Mr. Fidler, and restated the motion as follows:

Motion to approve the bills as listed on the unpaid bill list dated as of October 30, 2020, but to pay the individual auditors \$1,000.00 for the 2019 audit with the remainder upon review of the new invoice

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

The Code Enforcement report for September 2020 was read by Judy Taylor.

Eric Graham, Township Fire Marshal, presented the Fire Department report for September 2020. He also presented the Fire Marshal report with one Knox Box currently being installed.

The Board reviewed the Lytton Subdivision for possible approval at the next meeting.

Motion to accept the 2019 Audit as presented by the Donegal Township Board of Auditors

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 advertise proposed Ordinance No 1 of 2020 of the Township of Donegal electing to amend its Police Pension Plan, administered by the Pennsylvania Municipal Retirement System pursuant to Article IV of the Pennsylvania Municipal Retirement Law

Motion by Tammi Iams, Second by Richard Martin

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

Motion to table the motion to advertise proposed Ordinance No 1 of 2020 of the Township of Donegal electing to amend its Police Pension Plan, administered by the Pennsylvania Municipal Retirement System pursuant to Article IV of the Pennsylvania Municipal Retirement Law

Motion by Edward Shingle, Second by Kathleen Croft

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

Prior to the vote, Ms. Iams amended her motion with the agreement of Mr. Martin, to add “subject to review by the solicitor and Mr. Shingle”

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

Mr. Martin stated that the review should be completed within seven days.

Motion to advertise proposed Ordinance No 2 of 2020 of the Township of Donegal electing to amend its Non-Uniform Pension Plan, administered by the Pennsylvania Municipal Retirement System pursuant to Article IV of the Pennsylvania Municipal Retirement Law, subject to review by the solicitor and Mr. Shingle within seven days

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 Washington County Coronavirus Relief Fund Recipient Agreement to provide distribution of Coronavirus Relief Funds as permitted by the County, the Commonwealth of Pennsylvania under Act 24 of 2020, and the Federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act)

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 complete a Washington County COVID Recovery Municipal Application for reimbursement for eligible unbudgeted coronavirus-related expenses incurred from March 1, 2020 to November 30, 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 approve renewal of the Workers' Compensation Insurance Policy No. KWC1227080 through AmTrust Insurance Company of Kansas, Inc., effective November 21, 2020, with an estimated premium of \$36,888

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 the dates set for the FY 2021 Budget Workshops as Monday, November 9, 2020 and Monday, November 23, 2020

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 reviewed the current fee schedule for use and rental of the township building facilities. An additional COVID-19 non-refundable cleaning fee of \$30.00 will be charged for each event rental due to increased cleaning required by the coronavirus. The refundable cleaning deposit fee will remain at \$25.00. The rental fee will be \$1.00 per person per hour attending an event other than sports-related rentals, which will remain at \$20.00 per hour. A church group renting the facility will be exempted from the rental fee, but will pay the COVID-19 cleaning fee.

Motion to have Kathleen Croft prepare a rental fee schedule

Motion by Tammi Iams, Second by Richard Fidler

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

Motion to authorize the solicitor to review the Waterline Deed of Dedication document provided by Tunnel Ridge for the Waynesburg Road Waterline Extension for possible adoption by the Board of Supervisors

Motion by Tammi Iams, Second by Richard Fidler

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

Motion to table the motion to authorize the solicitor to review the Memorandum of Understanding provided by Tunnel Ridge for the possible adoption by the Board of Supervisors; and to prepare a Developer's Agreement for the proposed Old Brick Road Waterline Extension for Board review

Motion by Edward Shingle, Second by Kathleen Croft

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

The Board agreed to request Tunnel Ridge to attend the next Board meeting to discuss the proposed Old Brick Waterline Extension.

The Board will consider the possible payoff of the Berkadia Commercial Mortgage LLC Loan No 10524101 at the next meeting.

Motion to approve the proposed Watermain Rules and Regulations and to authorize Integrated Environmental Services and the Township Engineer to take all actions required for proper institution

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 proposed Sewage Rules and Regulations and to authorize Integrated Environmental Services and the Township Engineer to take all actions required for proper institution

Motion by Tammi Iams, Second by Richard Fidler

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

The Board will review the Washington County Model Ordinance for Stormwater Management for the next meeting.

The Parks and Recreation report was presented by Kathleen Miller. She noted that she has letters of resignation from all of the previous members of the committee, and she had some applications for membership for Board consideration. Ms. Miller offered to help with development of a new rental fee schedule.

The Police Department report was presented by Chief Yancosek.

Motion to appoint Frank Arcuri as the Township's partial arbitrator in the Donegal Township Police Officers Association arbitration proceedings at the hourly rate of \$125.00
Motion by Tammi Iams, Second by Richard Fidler
Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—no, Shingle—no. Motion carried.

Motion to approve sale of the retired 2014 Ford Interceptor as is, where is, through the Municibid website, and to advertise sale as required
Motion by Richard Fidler, Second by Tammi Iams
Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—yes, Shingle—yes. Motion carried.

Ed Kraushaar presented the road report.

Motion to advertise for bids for Winter Road Materials with items and quantities specified by the Supervisor of the Road Department
Motion by Tammi Iams, Second by Richard Martin
Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—no, Shingle—yes. Motion carried.

Motion to reimburse the Liquid Fuels Fund from the Act 13 Fund for all approved payments to Donald Growden in 2020 for purchases of #8 stone in the amount of \$47,937.00
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 reimburse the Liquid Fuels Fund from the Act 13 Fund for all approved payments to Donald Growden in 2020 for purchases of #8 stone in the amount of \$47,937.00
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 to reimburse the Liquid Fuels Fund: Fidler—yes, Iams—yes, Martin—yes, Croft—no, Shingle—no. Motion carried.

Motion to approve Columbia Gas Transmission, LLC application for Heavy Hauling Permit for .69 miles on Grimes Road and .33 miles on Cunningham Road, with fees of \$250.00, escrow in the amount of \$3,000.00, completed application, contractors list and certificate of insurance have been received, and the road videoed
Motion by Tammi Iams, Second by Richard Martin

During discussion it was noted that an application should be for only one road with the application fee and escrow. The solicitor will review the agreement for any inconsistent language.

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

Motion to approve Columbia Gas Transmission, LLC application for Heavy Hauling Permit for .69 miles on Grimes Road with fees of \$250.00, escrow in the amount of \$3,000.00, completed application, contractors list and certificate of insurance have been received, and the road videoed

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 release Hershberger Sawing and Logging LLC road bond and escrow in the total amount of \$15,500.00 for one (1) mile on Ebbert Road, subject to inspection and no damage to the road surface

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 release Hershberger Sawing and Logging LLC road bond and escrow in the total amount of \$15,500.00 for one (1) mile on Ebbert Road, subject to inspection and no damage to the road surface

Motion by Kathleen Croft, Second by Edward Shingle

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

Ms. Iams amended the motion with the agreement of Mr. Martin to add “and the road videoed again”

Roll call vote on amended motion to release Hershberger Sawing and Logging LLC road bond and escrow: Fidler—yes, Iams—yes, Martin—yes, Croft—no, Shingle—no. Motion carried.

Motion to release Check No. 000188 payable to Murphy Tractor & Equipment Co, Inc. for the purchase of the John Deere MotorGrader

Motion by Richard Fidler, Second by Tammi Iams

Fidler—yes, Iams—yes, Martin—yes, Croft—no, Shingle—no. Motion carried.

Motion to release Check No. 000189 payable to Donald D Growden for the purchase of road materials

Motion by Tammi Iams, Second by Richard Martin

Fidler—yes, Iams—yes, Martin—yes, Croft—no, Shingle—no. Motion carried.

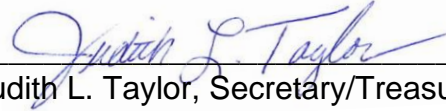
The solicitor had no report.

Mr. Martin stated that he had requested and received a State Ethics Commission opinion No. 20-538 concerning participating in discussions regarding Wood vs. Donegal Township.

Motion to adjourn the meeting at 11:09 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