

**Donegal Township  
Supervisors Monthly Meeting Minutes  
Thursday, June 9, 2022 7:00 P. M.**

The meeting of the Board of Supervisors of Donegal Township was called to order by Chairman, James Bauer Jr at 7:03 p.m. The meeting was held at the West Alexander Municipal Building. The meeting was held as an in-person meeting. Board members in attendance by Roll Call; James Bauer Jr., Edward Shingle, and Randy Polan. Also in attendance: Jim McGraw Solicitor. Prayer was given by Bruce Graff. The Pledge of Allegiance to the Flag was recited. Chairman Bauer announced the meeting was being recorded.

Announcement of Executive Session - Mr. Bauer stated that no executives were held.

Mr. Polan made a motion to adopt the agenda giving the chair the privilege to adjust. Mr. Shingle seconded the motion.

VOTES:                      3 - YES                      0 - NO                      Motion carried

**PUBLIC COMMENT:**

Eric Graham inquired about the Poplar/Highland project. Mr. Shingle thinking the last thing he remembers is Mr. Voytex put the bids out, but that has been a while ago and wondering the same thing.

Kathy Gilmore stated that she sees the building is being worked on and asked whose the contractor, what is the cost, is the asbestos being dealt with, was it put out for bid, and when did the Board vote to do all of this. Mr. Bauer said he couldn't remember the exact date thinks 2 months ago, voted to go ahead resume fixing the building and get ready to move back in, so far we have done everything but the testing ourselves, didn't hire any of it our. Kathy Gilmore asked so there won't be any cost on it at all? Mr. Bauer said not at this point, there may be some when we hit the floor and stuff, when we decide what we are doing with the floor. Kathy Gilmore asked about the cameras in the office and if they were taken down at some point and do we know where those cameras are. Mr Polan stated that everything was up in the corner. Gilmore mentions when they audited last year, they found them all stacked up in the corner so they didn't all stay up. Mr. Bauer stated that was before his time but we will be talking about another system that doesn't even coincide with this one; won't work with it.

Kathy Gilmore read a statement from Bill Riggle; his goal is to continue to present facts for the residents of the Township in the public comment section of the Board meetings despite the Board's misusing the Sunshine Law and creating a resolution 2022-4 to deny public comments to keep Bill Riggle from speaking during meetings according to Mr. Bauer, Mr. Riggle's comments were negative and upset some people. The response to Mr. Bauer was that information was supplied that indicated the reason the Township is in dire straits and then



pointed to those as most responsible as Mr. Shingle and MRs. Croft; neither Mr. Shingle or former supervisors Mrs. Croft disputed the facts. The positive comments presented showed that supervisors in the past, moved the Township forward by working with all departments to solve problems without grievances needing to be filed, purchasing needed equipment and thus enabling much more work to be done for the convenience and safety for the citizens of Donegal Township with a minimum increase in cost. This was despite a constant attempt by some members of the Board to block all progress. In life, you only have so many opportunities to do the right thing. For the good of the community, it would seem to be in the best interest of the Board to work with their employees and expect trust and cooperation.

JD Martin inquired about the status of the crossroads; been discussions over the years and with the accidents. Just a thought, he knows there's a couple of signs coming each direction but doesn't know what they say but if it is not adequate, get more signs that are more specific or the solar power or battery back like you see on construction barrels to draw a little more attention. There's been discussions over the legal fees, and it was said at a meeting or two ago that a lot of what is carry over from the past administration and continuing grievances and lawsuits left over from that so if you could expand on that at all.

Mr. Bauer said he could briefly explain last month's bill and what it entailed: April we accrued a total of, in addition to the \$7010 monthly retainer we accrued a total of \$10,219.56 in legal fees, of that number RTK issues \$4,515.00 of that number \$2,905 pertained to appeals of those RTK's once they were declined. Litigation was \$1,855.00 and legal counsel for the auditors to get information they needed for their audit was \$1,942. The rest of that balance over and above that would have been for normal everyday legal advice for the Township.

Tammy Martin asked what became of the breaches in the computer and what happened to the tax collector computer that I turned over as it seems to have disappeared.

Mr. Bauer said it was locked up as far as the other information, we got a preliminary report but we asked for more information, so we are waiting to get a final explanation from the company on what they found. T. Martin says at the last meeting you said there would have to be 3 bids and it was a little confusing cause you said you were going to ask bit-x-bit to honor what they bid previously but you still needed 2 more bids and then a sentence or 2 later you said that bit-x-bit already had everything they needed.

Mr. Bauer said we actually put it out for bid prior maybe Jan or Feb, we already solicited those 3 bids. Bit-x-bit was the only one that responded. It was the only one we got back and when we did end up using them, they agreed to use the same quote they given us before.

Tammy Martin says back in January, we asked about whenever you guys hired McGraw's firm, I believe it may have been JD who asked about a question about mileage on there and Mr. Shingle responded that we were paying no mileage. Now, when I did a RTK on the solicitor contract, there was no contract done when we had the reorganizational meeting cause that contract isn't dated until January 21st and McGraw told us in March that they do charge for mileage. McGraw says what I think I told you was the charges are articulated in the engagement letter. Mrs. Martin replied right, it doesn't spell mileage out, it doesn't say how much mileage, Mr. Shingle specifically said there was no mileage to be spent that it was included in that retainer. Mrs. Martin asked Mr. Shingle if he remembered that. He responded no. Mrs. Martin stated "I didn't think you would".



Mrs. Gilmore asked if they could ask for the engagement letter, could we get a copy of it as there shouldn't be anything on the engagement letter that needs redacted. Mrs. Martin replied there was, they redacted whatever was under Mr. McGraw's name and who it was mailed to. Mr. Bauer said then you already got the engagement letter. Mrs. Gilmore said no, Mrs. Martin said she would send it to her.

JD Martin asked if that isn't public information, how would they get it? Mr. Shingle replied that they did a RTK. JD sys you couldn't possibly have a contract drawn up before the firm was hired or retained, is that fair to say? So in January's reorganization meeting you wouldn't has a contract or engagement letter anyways because you hadn't hired, is that fair to say? Mr. McGraw asked if he was asking about the sequence, McGraw stated, we don't have a contract per se, its terms of an engagement letter that is signed by the Chairman of the Board after a vote was taken to retain the law firm and we issue an engagement letter on that basis. Mrs Martin stated, didn't I also read in that engagement letter that the Board cannot hire another attorney without putting it in writing to you guys that they are going to use another attorney for any other reason, in the bottom paragraph. Mr. McGraw says going from memory and faqra a

that language what you are referencing is separate labor council, um that yea, we had those discussions and correspondances via email and otherwise and that firm was retained.

#### **APPROVAL OF MINUTES:**

1. Mr. Shingle made aMotion to approve the minutes from the Board of Supervisors Regular Monthly Meeting held on May 12, 2022. Mr. Polan seconded the motion.

VOTES:                      3 - YES                      0 - NO                      Motion carried

#### **FINANCIAL BUSINESS:**

1. Mr. Shingle made a motion to approve the bills as listed on the unpaid bill list dated May 31, 2022 with amending to add the solicitor bill for \$10,219.56. Mr. Polan seconded the motion.

VOTES:                      3 - YES                      0 - NO                      Motion carried

Ed raised questions about the tax collector programming bill and questioned if the school should pay half.

Tammy Martin asked why we are using the solicitor to do so many of the RTK's when we have a RTK officer. Mr. Bauer explained like I told you before at a meeting, anytime there is going to be any kind of financial burden to the Township for anything, we are going to run it through the solicitor's office first. T. Martin says wouldn't it make sense to the RTK officer do what he is supposed to do instead of raking up bills to the solicitor? Mr. Bauer replied the RTK officers is doing what he is suppose to do and when he has questions or is in doubt, he sends it to their office. T. Martin says it seems like they are answering just about everyone one of them. Bauer



says not everyone but most of them have had a possibility of repercussions since then so its been... Mr. Shingle interrupts and says as you should know. Mr. Bauer continues, its our due diligence. Mrs. Gilmore asked how is it asking for a copy of their invoice creating a financial harm to the Township? I got nothing from Ed, I got everything from the attorney. Bauer asked on what? Gilmore replied when she asked for the solicitor bill from March, Ed didn't send me anything, Ed Shingle stated that was not true. Gilmore said Ed, your name was on it but someone in the attorney's office wrote it. JD Martin asked wouldn't the attorney's office have to prepare the attorney bill. Mr. Shingle says yea they do that. Tammy Martin says they don't have to redact it unless there is a legal review or things that are redacted say strategy because we were able to compare it to the January bill that we did get to see. Resident said it's attorney client privilege and Turturice did the same thing. Mrs Croft says yea Turturice did do the same thing. Tamy Martin said you didn't redact when you put them out on Facebook. Mrs. Croft says yea and I believe he filled something against me.

VOTES: 3 - YES 0 - NO Motion carried

### **OLD BUSINESS:**

#### 1. Pension Audit - Findings

Mr. Bauer said we not doing anything with that; it's tabled again.  
Mr. McGraw questioned and suggested to vote to table.

Mr. Shingle made a motion to table the Pension Audit Findings. Mr. Polan seconded the motion.  
VOTES: 3 - YES 0 - NO Motion carried

#### 2. Campground Ordinance -

Mr. Bauer asked Mr. McGraw if there have been anymore conversations with the lady Mr. Shingle made a motion to table. No vote: Moved on.

#### 3. Holding tank

Mr. Shingle made a motion to approve the holding tank located at 15 Reese Lane, Claysville, PA 15323. Office to reach back out to owner to resubmit the \$1000.00 escrow fee that is required.

JD Martin brought up the previous motion on the table; to table the campground ordinance, went back

2. Mr. Shingle made a motion to table. Mr. Polan seconded the motion.  
VOTES: 3 - YES 0 - NO Motion carried

3. Mr. Shingle made a motion to approve the holding tank located at 15 Reese Lane, Claysville, PA 15323. Office to reach back out to owner to resubmit the \$1000.00 escrow fee that is required. Mr. Polan seconded the motion.

VOTES: 3 - YES 0 - NO Motion carried



#### 4. Surveillance Cameras

Mr. Bauer said the quotes received were on 1-2-or 3 of the locations, all inclusive with equipment we have in place, monitors and things like that. There is 1 quote with us putting the conduit in, running it from the maintenance back to the equipment building. All 3 building down there; inside and outside. That one is \$??? (didn't say) Then also up here (34 Liberty St.) for a quote, everything will be new outside and inside. Anywhere there would be any activity. Then there is a quote for the police that will be separate; Chief will have his own. 7% discount if we do all 3, 5% discount if we do 2. We put out a while ago, we got 1 other bid but this is much better equipment. This kind of equipment is hard to get apples to apples and get all exactly the same and the 3rd guy that was going to quote called in and said too busy to quote and refused to quote. That being said we would be able to install up-to-date new good equipment at all 3 locations at \$20,754.81. Mrs. Gilmore asked if they got 2 quotes. Mr. Bauer said yes; 1 guy before, Houston. Gilmore asked if they gave a figure. Mr. Bauer said yes he gave a figure a few months ago but it was not anywhere near the same equipment or quality of equipment. Bill Riggle asked why do we need all of that stuff, no one had anything coming up missing down there at all except 1 battery since I been here. Mr. Bauer said he got a complaint a while back of footprints walking around the building. Mr. Riggle said we know who that was. Mr. Bauer said apparently. Mr. Riggle says we know who that was. Mr. Bauer said yes I know who it was, I sure do, but you were concerned with people walking around. Chief asked who know who that was; it was reported to us so I'd appreciate knowing. Mr. Riggle says he know who it was. Mr. Bauer said yes, it was me in the middle of the day. Mr. Riggle said down there in the grader, which is a big no-no. Chief says so you knew he was down there and you reported or you found it out later.

Mr. Riggle replied we found it out later, we figured it out. Mrs. Croft says but you didn't tell him. Mr. Riggle says we was there when he was in there. Chief said but you reported it to the police.. Mr. Riggle said we found out later who it was, we figured it out. Mr. Poland said the main door was left open in the 1st place. Mr. Riggle said we were there, no one has any business in being in there, we found out someone was in there and we was concerned, we figured out who it was and that no reason to put \$20K in security cameras down there, when we aren't there the door is locked. Mr. Bauer says there a whole lot more reasons than that. Mr. Riggle asked what are they? Mr. Poland said security, we talked about it before, accountability an responsibility, that's our job to make sure things are safe and things were not up to date, you agreed with that from time to time now all of a sudden you're saying why? Riggle says no, I just want to know why you doing this are you putting cameras outside, inside? Bauer and Shingle both replied everywhere. Mr. Riggle says I just asking why, there's never been anything taken. Bauer says this is to make sure there won't be then and if there is we will be able to make sure what happens. Mr. Poland asked about cameras down at the bulk plant. Mr. Bauer said that is not part of this, that would have to be done separately because that was brought up after they came out and did everything so its not part of this project. Mr. Poland said things are changing now-a-days and we need a little more security, we need this for accountability and responsibility and we just want to be responsible. Mr. Shingle says we have a \$300K grader in that one building, what the heck. Mr. Riggle said yea but you didn't even want to put the electric in it Ed, wasn't a problem there, they couldn't find it. JD Martin asked if that the initial install cost or is there a monthly service or monitoring fee? Mr. Bauer said we will monitor it ourselves. Mr. Riggle asked who is going to monitor it? Mr. Shingle said he wanted to add to that, he thinks go with the quote with wifi instead of the hard line. Mr. Bauer stated that was the one he included in price, he didn't figure the other one up. JD Martin said obviously you guys got a lot of money invested in the building and equipment and it's no difference than running a business, you have to protect, you have



liability issues, security issues, you're protecting the assets of the Township. Mr. Riggle asked again who was going to monitor all this Mrs. Croft says, ok, I'm assuming for liability reasons Mr. Riggle did not give his speech earlier and gave it to a resident but you do have a resolution that says he needs to stop and I think most of the public would appreciate if he could stop. Mrs. Martin says freedom of speech right Kathy? Mrs Croft replied back "lawsuit baby"

Mr Shingle made a motion to purchase surveillance cameras from David Davis Communications not to exceed \$21,000.00 and to be paid out of the ACT 13 account. Mr. Polan seconded the motion. Mr. Shingle added to use the quote for the wifi not the one for us to dig conduit.

VOTES:                      3 - YES                      0 - NO                      Motion carried

### **NEW BUSINESS:**

#### **1. Heavy Haul renewals and change rider to include adding a new road**

Mr Polan made a motion to approve heavy hauling renewals for Range Resources on Cunningham Rd. (1.2 mile), Buck Run Rd. (1 mile), Delashawn Rd. (.39 mile), Grimes Rd. (1 mile), Hicks Rd., (.60 mile), Old National Pike (2.50 mile) and adding a new permit for Young Rd. (.45 mile), change rider, applications, fees, agreement have all been received and to be videoed by the engineer. Mr. Bauer seconded the motion.

VOTES:                      3 - YES                      0 - NO                      Motion carried

Mr. Shingle asked if we met with liquid fuels. Mr Polan said we did and any new agreements we have to get packets. This is a renewal. Mr. Shingle said we don't have to renew and can hold the to certain requirements before you renew. Old Board refused to do it the right way.

#### **2. Bulk Water Fees**

Mr. Shingle says to go to \$.04, that's double. Mr. Bauer stated that Heather says it is \$.01 now and the other question I have is weather we are selling water down there, I don't know if we can actually sell water by the gallon, unless you have weights and measures coming in and measuring by the gallon but I had a conversation with Ethan; his stations they sell a service, its \$8.00 for a load of water and when you pump it your getting almost 500 gallon. But they are not selling it by the gallon for a price that way they can't be held liable by weights and measures if they are 10 gallon off or something like that. I don't know if that is what we want to do. Mr. Shingle says that is what we are doing now. Mr. Bauer stated then we can't say we are charging a penny a gallon. Mr. Shingle replied that is what it figures out to. MR. Bauer asked how we are advertising it now, is there a sig down there that says x amount of dollars for a load or x amount dollar for a gallon or what? Mr Shingle says it takes \$2.00 to get the machine started and I don't know. Mr Polan asks so your supposed to get approximately 200 gallon for \$2.00 in tokens, Mr. Shingle replied yea. Mr. nBauer asked solicitor about weights and measures. Mr. McGraw says if you are selling something at a specified unit of measure than you are subject to review/confirmation that that's the fact of the unit. Mr. Shingle says we don't have to say \$.04 a gallon. Mr. McGraw says that's what I mean, what your talking about doing. Mr. Shingle states raising the rate. JD Martin asked if we could put a timer on it like car wash; \$2.00 gives you 2 minutes. Mr. Riggle says put a sign up that says approximately. Mrs. Croft says there is no sign there now. Mr. Shingle says there hasn't been any problems, we just need to raise the rate because it is ridiculously cheap. Mr Bauer says he heard something interesting today; the



tokens for our bulk water are exactly the same thing as the tokens that you use at the parking garage at Washington Hospital. Croft says yes, they are frequently stolen. Mr Bauer continues so people come here get tokens for a buck, take them to the hospital where it is \$3.00 and uses them at the hospital. Croft says yes, constantly because we were always buying tokens. Mr Bauer says that Heather told me that today. Mr. Shingle says just double the rate, I don't care how you word it. Mr. McGraw says we don't have rate now, we are saying it works out to a penny a gallon but we don't have a monetary amount at a unit of measure; how do we go in

and set as double, someone has worked this out as to how much is dispensed for a certain amount of money. Mr. Bauer says our water guy has to do it, program it. Mrs. Laird says so our bulk water tank, you put \$2.00 in quarters and it gives you 2 minutes and in those 2 minutes it gives you 200 gallons that is how it works now. Bauer says are you asking or telling? Mrs. Laird says I'm telling ya. Resident says you have to put \$8.00 in Ethan's before you start it up and you have to hold the button and you'll get about 400 gallon or a little more. Bauer says \$4.00

Mr. Shingle made a motion to raise the bulk water rate to two times the current rate after we have the backflow preventer installed cause we have to have that done to get permitted. Mr. Bauer seconded the motion.

VOTES:                      3 - YES                      0 - NO                      Motion carried

Mrs. Gilmore says while you are on water, where are we at with the contract with Wheeling Water. Mr Bauer says we are waiting on them again. Mr. Shingle stated that he tried to get ahold of the city manager and I didn't get him again this week. Mr Bauer stated that we tried him last month and he didn't get back to us last month so the balls in their court. Mrs. Gilmore asks if we are still paying the bulk rate? Mr. Bauer stated "I'm pretty sure we are not paying anything right now until we get it resolved. Mr. Shingle says I think we are paying something. Mr. Bauer says we are paying the current rate not the back questionable amount. Mrs. Gilmore asks what's the chances them coming back and wanting all the original monies? Mr. Shingle replied pretty good. Mr. Bauer says we been 3 months at least. JD Martin says wanting and getting are 2 different things.

### 3. Crossroads Project

Mr. Bauer said we actually had conversations with Stephanie Witlatch last week/this week. Mr. Polan said last week. Mr. Bauer said whatever we do there it has to be approved by PennDot, we cannot do whatever we want. I called the Engineer to get his opinion on that intersection, like what would you normally see there: flashing light, rumble strips, what kind of stuff, he said it doesn't really matter, it going to be up to PennDot, they have to agree with whatever we put in there but we have to go to them with a suggestion. They won't let us do anything there until there is a traffic study done, now we had a speed study done but not a traffic study done, so that would be the 1st thing we need to do, get the traffic study done and get the results to the Engineer to develop what kind of, how we want to go about solving the problem. I know Tunnel Ridge wants to throw some money into that. I don't know if Range wants to throw money to it; we haven't had conversations yet. Harshman couldn't give me an idea if we are talkin \$40K, \$80K or what it was until they dove into it. Mr. Shingle asked what the traffic study is? Mr. Bauer said we can do the traffic study, Heather said she can do the traffic study in house, she can do it herself, she has done them before, and it's approved by PennDot and they will accept everything; Haqrshmaqn told me probably traffic study be about \$15K, I can follow up or have Heather follow up with Harshman and confirm, make sure what she can do is the same thing



they are going to do and just have her do that. Mrs. Croft says I thought PennDot did the traffic study? Chief Yancosek agreed, they did the last one. Mr. Shingle says they run a counter. Chief Yancosek says before I would have anybody do a traffic study check with them, see what the requirements are. Mr. Bauer said we just did that. Chief asked, PennDot said we could do it in-house? Mr. Bauer stated they didn't say we can do it in house, actually the Engineer told me we had to do a traffic study before PennDot will do anything. Chief says we talked about a traffic study when we met with PennDot last year, right Rick, yea I mean the prior Board actually met with PennDot down there and what we need to do. Mr Bauer said Heather pulled the file today and they had a speed study done but not a traffic study done according to what she pulled out of the file. Chief says because we requested they regulate the road we requested they consider lowering the speed limit, they did the speed study and said no, there wasn't a requirement for it. Mr. Bauer says so this here traffic study from what I understand from the Engineer is they study all the traffic coming through the intersection and not just a matter of how much but what direction it goes, time of day, all factors. Chief says they usually put devices out to monitor. Mrs. Croft says we did a zoom meeting with Josh Kale and PennDot last fall, September, somewhere in there and I thought it was recommended then for a traffic study and the estimate for the lights was like \$125K and then the Township is responsible for the electric and all the maintenance. Mr. Bauer said what we did find out, if the Township pays for it, we are responsible for everything and we maintain it, PennDot does nothing, but if we get it by a grant, PennDot will take it over completely and we have absolutely nothing. Chief says that exactly what Buffalo Township does, it might be a good idea to reach out to them; they are responsible for the maintenance of it, I didn't realize we were considering this or I got you information sooner. Eric Graham says he believes part of the traffic study is crashes and he don't know how you can do that all in house because that is all not public information. Chief says 2 other companies may be interested in helping us with the cost; they haven't said definitely. Graham asked what is your goal or what do you think is the best thing to do there? Mr. Bauer says personally I don't think you are going to slow traffic down there unless you do something with the surface of the road weather that is speed humps or rumble strips, or whatever. Graham says they are not gonna do humps, blinking red lights. Mr. Shingle said they are not going to do that on 40. Graham says blinking red lights in all 4 directions hands down that's the only thing that will make it safer. Shingle said when we met with PennDot over there they will not put a stop at 40. Graham said they did at 221 and 40. Bauer asked what 2-red, 2-yellow?. Shingle said yea, that's what he said. Graham said blinking yellow is not gonna do shit for you. Shingle said yea right; I'm for low tech, low maintenance, lots of signage, painted stop lines that kind of thing. Mr. Poland says they have rumble strips that aren't like bign rumble strips but are smaller, they don't do a lot of jumping around, they get your attention without waking your neighbors up when your going by at night, there's different styles of rumble strips that could be considered. JD Martin says there is obviously with the studies that have already been done, with the accidents already happened there, should be plenty of documentation, rather than the Township incurring any cost why don't you have the Secretary and or the solicitor put pressure on PennDot vi representatives, let the lawmakers and elected officials earn their pay a little bit and do what they are suppose to do and put pressure on them and get something done with it; if it's a State road the it's PennDots responsibility, it shouldn't be ours. Chief asked to speak to that, they are waiting on us, we are supposed to get back with PennDot with what we want, isn't that right MR. Fidler, wasn't that where the conversations was left, they told the Board that was out there to come up with an idea, these are the options we will consider, come up with an idea you think will suit you and we will work from there. JD Martin asked what were the options, do you know. Chief says a roundabout, 2-red/2-yellow, they thought signage was adequate, do you



remember what else Rick? Mr. Fidler says there's a problem with where they put the lights, where the poles are. Chief says not only with that the roundabout the have to have eminent domain properties. Graham says a roundabout would be the safest thing to be there but. Mrs. Croft says a round about would be paid for federally. Mr. Shingle says you have to look at it from PennDot's view and I know everyone that is here is every life is important but that is not an overly dangerous road when you are talking about all the roads in PA. Graham agreed depending on what perspective you are looking at it, the interstate by far has more crashes, take the interstate out of the equation, most crashes in Donegal Township happen right there. Mr. Single says in the big picture, theres not even intersections, there's just turns on roads that are way more deadly in the state than that intersection. Suzanne Dorsey asked if the rumble strips on the cemetery side be annoying to those houses cause the cemetery side where everyone blows through. Chief says the State will not put rumble strips in and if we put rumble strips in on one of our roads, which none of those are, we would lose all state funding so they do not allow them. Resident asked if a surveillance camera would be legal to use in the intersection. Chief says he is not familiar. Resident a camera monitoring and signage on both sides of 40 indicating that your approaching intersection is watched by camera recorded and that might get attention. Chief says they do that on the RT 19 corridor and I don't know the protocol. Bauer asked anyone violating the speed limit what they get ticketed? Graham said that is 2 different things, on the stop light cameras they get ticketed, its a civil process, they get fined just doesn't come with the points if the police made a stop through a stop sign violation, guess the difficulty would be proving who was actually driving the vehicle; not sure what the success rate is challenging that. Chief says I know you guys are having a ton of meeting but maybe consider a workshop specifically for that and maybe we could get some of the local businesses to attend and throw some ideas around.

Mr. Bauer made a motion to table for further research. Mr Shingle seconded the motion.

VOTES:                      3 - YES                      0 - NO                      Motion carried

#### 4. Old National Pike - Engineering study

Mr. Polan stated that we got a couple things that Rich Rush brought up, we could have our guys go out and dig down as far as they need to, to find solid ground but then find out approximately how deep to go and the volume of stone but we would have a whole road that we would have to patch back and it would be messy then that would be minimal cost \$2800 or something, I forget what the numbers are and if we have them do it, we would have core samples which they will get it done much quicker and they have their own traffic controls, there won't be any digging up the roads and a whole lot less in the long run because it is a better way of doing it and we will know what the core tell us and we will have to have bids on the information that we gather. In the process of doing our crew and all the situations that we would have to have in compared to having them do it, it's much better and they are qualified more; if they do it is \$11,777. That is the ceiling price, worst case scenario, everytime they have done it, it's always been less and when I talked to them they said it would be \$2K - \$4K less than that, so approx \$7K -\$8K. But then you don't have the road tore up as it gonna take a year so to get this done so we are making work for the road crew for the next year or so. Mr. Shingle asked if we could ask the Engineer to look at the road study, an old one that tells us. Mr. Bauer says this guy's price actually came through the Engineer so I would assume they were involved with that. Mr. Shingle said I don't know if the current Engineer has the old road study that has and tells us where the base is and that kind of thing. Mrs. Croft says Wind Ridge; they did the original road studies. Mr.



Riggle asked all of it or 1 particular place. Mr. Polan says the stretch coming from 70 up to the Township building that 200'-300' stretch that a place and going up the hill towards McAdoo's a few slips on the hill and then there's a turn that you turn left on Toll Gate, there's a dip in it. How do you know what you can do to anything unless you have the core sample that tells you what you have down; the one we did there before was a crapshoot, it happened and we started digging and that is what is was and if you don't want to do that you have to get a core sample. Polan said the quick fix is just cut the top, take it down, and put new surface on it; it might last for a while in the long run you are going to have to go back and do it again. Polan said to get it fixed and done right, take the core sample and get it done right. Once we get all the information, we can talk to those companies that are bonded, the new way we are going to write these things up, if the road is not suitable for the weight that they have, they are not gonna be allowed to do it and if they want to run their trucks on it they have to help bring that up, they either have to do it themselves or help do it to bring it up to the requirement. Mr. Shingle says we make a month to spend up to \$11K for them to do it.

Mr. Shingle made a motion to have core samples done not to exceed \$11,000.00. Mr. Polan seconded the motion.

VOTES:                      3 - YES                      0 - NO                      Motion carried

#### 5. Police car - Discuss and deal with

Mr. Shingle made a motion for that car to be cleared, junk. Mr. Bauer seconded the motion.

VOTES:                      2 - YES                      1 - NO - Polan                      Motion carried

Chief said that the steering is seized for years and been back there. Shingle says without a battery I doubt it will even run now. Polan says there are places that will take old vehicles, fix them up and give them to other less distressed in life is it possible to do something like that. Mr. Shingle says we are distressed too lets take the money. JD Martin asked if we could just put it on Muncibid as junk Mr. Shingle said yea. Tammy Martin asked if there was a motion from a

previous Board to put in on Muncibid do you not have to take care of that motion before you can make another motion to do something else with it. Mr. Shingle said the previous Board didn't follow through with it. Mr. Bauer was not aware of a previous motion. Mrs. Martin said you were on it to Ed. Mrs. Laird said it was a motion in 2021.

#### 6. Vision impaired signage at Highland

Mr. Shingle said we were suppose to this a couple years ago for one resident and I was just contacted by a different resident and his grandson is up there and he's vision impaired; they are both in the same area. Shingle says I think we have the signs. Bauer says we have 2 signs already we just need to know exactly where they need to be at and our road crew will put them up. Polan said there has to be something done to put these signs up there's a code or something we have to do is that correct? Chief answered that he doesn't know if those signs are required to be by ordinance or not that would be something that maybe the solicitor could



answer. Mr. Graham said I don't think they are as they are informational not statutory. Chief says that could be but the other issue is I guess I am not sure what the question is, there are requirements to posting those signs and I believe Ed is familiar with the standards and if not we could look them up; they have to so high, so many feet from the road; if that is the issue, we can work that out.

Mr. Shingle made a motion for placement of vision impaired signage and subject to compliance with all applicable requirements, laws, ordinances. Mr. Polan seconded the motion.

VOTES:                    3 - YES                    0 - NO                    Motion carried

#### 7. Bulk water station plumber

Mr. Bauer said we need to have a backflow preventer installed because we were told before that it had to be done by a certified plumber and we approved \$400.00 and it turns out it is going to be \$700 and some dollars and it turns out we found out it does not have to be done by a certified plumber it just needs to be inspected after it is installed so we are able to get it installed much cheaper. Mr. Shingle said right now he don't have a price, he got the 2 guys together, Foris and the plumber, they are supposed to be coordinating, he;s gonna look at it; he needs some drawings. Can we just rely on the motion we already made? Foris said he doesn't want to do it, and doesn't mess with it. - NO action

#### 8. Buffalo Township Agreement for emergency and other purposes; Buffalo's resolution 4 of 2022

Mr. Shingle made a motion to table. Mr Bauer seconded the motion.

VOTES:                    3 - YES                    0 - NO                    Motion carried

Mr. Shingle stated the emergency guys want to go over that together. Chief asked if it was ok to forward the documents that you sent me to the other 2. Mr. Shingle said yea

#### 9. Auditors to obtain council

Mr. Bauer said he received a letter today from Heather that the auditors are requesting to secure their own council; approval from the Board of Supervisors to hire legal representation not to exceed \$175.00 per/hour.

Mr. Bauer made a motion for the auditor to obtain legal counsel not to exceed \$175.00 per/hour. Mr. Shingle seconded the motion. VOTES:

Tammy Martin asked don't they have to go through Common Pleas Court for that, I know it wasn't done that way last year and it should have been. Mr. Shingle said the way he reads the code is if we don't approve it, they have to go to Commonwealth Court. Mr. McGraw says the code is written a little bit funny in that section but the code clearly stresses the fact that we are to confer with the auditors whenever that request is made and if we can't agree on an hourly rate then we have to seek court intervention but given the auditors have represented in this letter apparently the rate ois not to exceed \$175.00 per hour which is pretty much the going Municipal rate in Washington County and it, assuming the supervisors are comfortable with that



we can just go ahead and dismanner without having court intervention, as the code requires if we can't come to some sort of agreement the court will step in. Mrs. Martin asked don't they have to give a reason why they are wanting council. McGraw said we can't really inquire into the specifics of their, things they are going to talk to their attorney about would be privileged so us talking to them about this not really appropriate.

Mr. Bauer made a motion for the auditor to obtain legal counsel not to exceed \$175.00 per/hour. Mr. Polan seconded the motion.

VOTES:                      3 - YES                      0 - NO                      Motion carried

#### 10. Executive Session

Mr. Shingle made a motion to go into executive session. Mr. Bauer stated I want to make a motion to adjourn because when we come out of executive session we are not going to have any business to discuss so adjourn the meeting and go into executive session.

Chief said he does have something else that came in, he applied, last years budget for this year we included the purchase of ballistic vest for the police department, he had the opportunity to put our names in on a grant request through Washington County Community Foundation, they approved us for \$5000.00 towards our vests but we have to respond weather or not we are interested, if we took the money we would have to buy the vest but at the time with the guys we had, we were under \$7000.00, in addition to that I think it is required in our by-laws or employee policy and I believe in our contract, that you guys have to replace those vests every 5 years.

Mr. Shingle made a motion to add to the agenda the Washington County Community Foundation grant application. Mr. Polan seconded the motion.

VOTES:                      3 - YES                      0 - NO                      Motion carried

Mr. Shingle made a motion to proceed with the paperwork and the process. Mr. Poland seconded the motion.

VOTES:                      3 - YES                      0 - NO                      Motion carried

Mr. Shingle wants to adopt a policy on lien letters, he claims he has gotten several complaints and I think we should adopt a policy that the Township has 5 business days to respond to lien letters; we are holding up business in the Township. He claims that there is 1 right now that they've been trying and trying for over a month and there's a situation. McGraw said we could develop a policy or we could amend the agenda to direct the solicitor office to develop a policy for next month. Mr. Bauer said direct Heather she needs to touch base with you as to what you want it to say regarding contents

Tammy Martin asked if they have had executive sessions since the last meeting. Mr. Bauer said we have not. Mrs. Martin asked are you sure? Mr. Bauer said I am pretty sure.



Mr. Polan said I think we should know what we did and what we didn't do. Mrs. Martin said I am just wondering because according to my attorney you guys are getting back and forth with him so you had to talk at some point in time. Mr. Bauer stated that executive session requires that 2 or 3 of us be together at one time and I just had a phone call with the solicitor. Mrs. Martin says negotiations would require more than one person as a supervisor. Mr. Bauer stated the case you are referring to was last month. Mrs. Martin said it's not over yet, I just heard from my attorney the other day. Bauer said the last time we talked was last month with Kevin Pomian and it was a phone executive session.

Mr. Bauer made a motion to go in to executive session but we are going to adjourn as we are not going to have any business coming out of executive session. We are going in for litigation and personal. Mr. Shingle seconded the motion.

VOTES:                      3 - YES                      0 - NO                      Motion carried

Adjourned at 8:30 pm.