

Donegal Township Board of Supervisors
Regular Monthly Meeting
November 16, 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.

Chairman Fidler announced that the Board of Supervisors held an executive session on October 27, 2020 from 2:30 p.m. to 7:00 pm for purposes of litigation.

Public Comment On Agenda Items Only:

Thomas Teagarden, 13 S Liberty St, West Alexander, questioned if the Board had reviewed the copy of a landlord ordinance he had supplied at the last meeting. Chief Yancosek said holding landlords accountable for drug activity in their property is referenced in Title 18. He will find other examples of landlord ordinances for the Board to review. The Board will also review a copy of the ordinance from the City of Washington.

Motion to allow public comment at the end of the meeting

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 the meeting agenda as presented

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 the minutes from the October 19, 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—no, Shingle—no. Motion carried.

Motion to approve the Treasurer's report dated October 15, 2020 through November 11, 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 bills as listed on the unpaid bill list dated as of November 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 for October 2020 was read by Judy Taylor.

Eric Graham, Township Fire Marshal, presented the Fire Department report for October 2020. There was no Fire Marshal report.

Motion to approve the James M Lytton Subdivision of Parcel Id # 230-007-00-00-0011-00
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 re-signing of the Hewitt Subdivision Parcel ID # 230-019-00-00-0017-00 approved April 15, 2019 but not recorded within the 90-day time limit
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 will review the application for subdivision by William F McAdoo of Parcel ID #230-004-00-00-0010-00 for possible approval at the next meeting.

The Board discussed the Board of Auditors vacancy audit and requested more information on the proper form of the audit document.

Motion to table to accept the Audit of the Vacancy in the office of the Secretary/Treasurer as presented by the Donegal Township Board of Auditors
Motion by Kathleen Croft, Second by Tammi Iams
Roll Call Vote: Fidler—yes, Iams—yes, Martin—no, Croft—yes, Shingle—yes. Motion carried.

Motion to table to pay Auditors Lee Rodgers and Linda Geric for the hours worked on the Audit of the Vacancy in the office of the Secretary/Treasurer for a maximum of fifty (50) hours at the rate of \$10.00 per hour for a total amount of \$500.00 each
Motion by Edward Shingle, Second by Kathleen Croft
Roll Call Vote: Fidler—no, Iams—yes, Martin—no, Croft—yes, Shingle—yes. Motion carried.

Motion to adopt Ordinance 1-2020 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 Richard Fidler, Second by Tammi Iams
Roll Call Vote: Fidler—yes, Iams—yes, Martin—yes, Croft—yes, Shingle—yes. Motion carried.

Motion to adopt Ordinance 2-2020 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
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 adopt Resolution No 6 of 2020 approving the Washington County Coronavirus Relief Fund Recipient Agreement, authorizing filing of the Washington County COVID-19 Recovery Municipal Grant Program Application and authorizing Richard J. Fidler, Chairman of the Board of Supervisors to act as the designated representative with authority to execute the agreement and file the Application and to provide such additional information as may be required by the County

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 adopt Resolution No 7 of 2020 approving the Washington County Coronavirus Relief Fund Recipient Agreement, authorizing filing of the Washington County COVID-19 Recovery Municipal Grant Program Application on behalf of its Donegal Township Police Department, and authorizing Richard J. Fidler, Chairman of the Board of Supervisors to act as the designated representative with authority to execute the agreement and file the Application and to provide such additional information as may be required by the County

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 table request for engineering proposals

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 hire Harshman Engineers LLC, and to retain Widmer Engineers as the backup engineer until the end of the year, and to request proposals for engineering services for the new year

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 accept the Waterline Deed of Dedication for the Waynesburg Road Waterline Extension

Motion by Tammi Iams, Second by Richard Fidler

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

Motion to table the Waterline Deed of Dedication for the Waynesburg Road Waterline Extension

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 Developer's Agreement between The Township of Donegal and Tunnel Ridge LLC for the Old Brick Road Waterline Extension Project, subject to the final review of the solicitor and engineer

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 table to request a payoff letter from Berkadia Commercial Mortgage LLC for Loan No 10524101

Motion by Kathleen Croft, Second by Edward Shingle

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

Motion to approve the agreement between Tunnel Ridge LLC, James W. Lilley and Deborah Cottrell, Co-Executors of the Estate of Jo Ann Lilley, Deceased, and Donegal Township, for sale of the Lilley property to Tunnel Ridge LLC, which commits as buyer to leave the property vacant and unoccupied until repair or replacement of the septic system; or removing the dwelling following closing, as determined by Tunnel Ridge

Motion by Tammi Iams, Second by Richard Fidler

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

No action was taken by the Board on a review of a Model Ordinance for Stormwater Management.

Ms. Iams notified the Board that the Irey property situation has been remedied.

Motion to accept letters of interest for open positions on the Parks and Recreation Board until December 18, 2020

Motion by Edward Shingle, Second by Tammi Iams

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

The Police Department report for October 2020 was presented by Chief Yancosek.

The Road Department report for October 2020 was presented by Richard Fidler.

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

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 payment to Suit-Kote Corporation in the amount of \$132,532.07 for the application of 68,386 gallons of CRS-2 (E-3 Emulsified Asphalt) at the bid price of \$1.938 per gallon; to be paid out of the Liquid Fuels Fund

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 payment to Suit-Kote Corporation in the amount of \$20,745.01 as according to their quote for the application of stone to various roads in the Township using their

equipment and work crew, with the Township providing the stone and loader to load Suit-Kote tri-axes; and to approve payment in the amount of \$3,642.71 for the application of 2,837 gallons of E-1 Prime to various roads in the Township, for a total of \$24,387.72 to be paid out of the Act 13 Fund

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 authorize acceptance of the quote from West Penn Power for installation of power pole and equipment to establish electric service at the property located at 727 Old National Pike for the new maintenance garage, to be paid out of the \$25,000 Local Share Account funds committed to the project, for an approximate cost of \$4,062.71

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 Columbia Gas Transmission, LLC application for Heavy Hauling Permit for .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 road will be videoed

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 approve MarkWest Liberty Midstream & Resources LLC renewal of Heavy Hauling Permit for 4.55 miles on Old National Pike (T-903), with renewal fees of \$250.00, updated application, contractors list and certificate of insurance have been received, and road will be videoed, with escrow brought back up to \$3,000 as needed

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 approve MarkWest Liberty Midstream & Resources LLC renewal of Heavy Hauling Permit for .25 miles on Shepard Road (T-318), with renewal fees of \$250.00, updated application, contractors list and certificate of insurance have been received, and road will be videoed, with escrow brought back up to \$3,000 as needed

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 approve MarkWest Liberty Midstream & Resources LLC renewal of Heavy Hauling Permit for .97 miles on Waynesburg Road (T-425), with renewal fees of \$250.00, updated application, contractors list and certificate of insurance have been received, and road will be videoed, with escrow brought back up to \$3,000 as needed

Motion by Richard Fidler, Second by Tammi Iams

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

Motion to release MarkWest Liberty Midstream and Resources LLC road bond in the amount of \$9,250.00 for .74 miles on Wilhelm Road (T-374); and escrow in the amount of \$3,000.00, subject to inspection and final video of the road surface, and minus amount of township expenses for video and inspection, and no damage to the road

Motion by Richard Fidler, Second by Tammi Iams

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

Motion to table all five motions to release MarkWest Liberty Midstream and Resources LLC road bonds listed on the agenda

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 release road bond on Wilhelm Road: Fidler—yes, Iams—yes, Martin—yes, Croft—no, Shingle—no. Motion carried.

Motion to release MarkWest Liberty Midstream and Resources LLC road bond in the amount of \$23,250.00 for 1.86 miles on Cunningham Road (T-373); and escrow in the amount of \$3,500.00, subject to inspection and final video of the road surface, and minus amount of township expenses for video and inspection, and no damage to the road

Motion by Rick Fidler, Second by Tammi Iams

The motion was amended by Ms. Iams with Mr. Fidler's concurrence, to also approve the next three motions for release of Mark West Liberty Midstream and Resources LLC road bonding in the amount of \$7,500.00 for .60 miles on Hicks Road (T-487), with escrow of \$3,500.00; in the amount of \$16,375.00 for 1.31 miles on Hicks Road (T-487), with escrow of \$3,000.00; in the amount of \$3,125.00 for .25 miles on Backbone Road (T-609), with escrow of \$3,500.00; subject to inspection and final video of the road surface, and minus amount of township expenses for video and inspection, and no damage to the road

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

Motion to put the 2021 West Alexander \$25,000 LSA grant towards a project at the sewage plant for an automatic bar screen

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 the Township's intention to follow the Township Code to hire a professional CPA firm to perform the 2020 audit

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 advertise the Township's intention to follow the Township Code to hire a professional CPA firm to perform the 2020 audit


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 adjourn the Board meeting at 11:06 p.m.

Motion by Richard Martin, Second by Tammi Iams

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



Judith L. Taylor, Secretary/Treasurer