Conewago Township Board of Supervisors
541 Oxford Avenue
Hanover, PA 17331

Re-Organizational Meeting Minutes • January 6, 2020 • 5:30 PM

Chairman Don Knight called the Re-Organizational meeting to order at 5:30 pm with the Pledge of the Flag and a moment of silence.

The following were in attendance:
Chairman Don Knight
Vice Chair Louann Boyer
Supervisor Charlotte Shaffer

The following appointed Township Officials were also in attendance:
Barbara Krebs, Township Manager — Heather Snyder, Sec. /Treasurer
Tim Shultis, Solicitor — Scott Small, Maintenance Manager
David Arndt, Zoning/Code Enforcement Officer

There were approximately 23 people in the audience including: Tony Eline of 12 Linden Avenue, Ted Bortner of 59 Sterling Drive, Tom Weaver of 174 Panther Drive, Ellen Ryan of 36 Franklin Drive, John & Judy Strevig of 247 Johnathon Drive, Tom & Sandy Klunk of 3370 Centennial Road, Ernie Hess of 125 Stafford Drive, Allan Shaffer of 44 South Allwood Drive, William Popovich of 36 Franklin Drive, Bob Miller of 3176 Hanover Pike, Timothy Klunk of 508 Delone Avenue – McSherrystown, Joni Swope of 386 Church Street, Nick Kraus of 386 Church Street, Steve Heller of 1527 Shoemaker Drive – New Oxford, Jeffery Heavner of 268 Vincent Drive, Kelly McKee of 142 Barley Circle, Brendan McCall of 311 Johnathon Drive, Jeff Sheely of 322 Diller Road, Rick McKee of 142 Barley Circle, Terri Shaner of 16 Franklin Drive and Michael Cooper-White of the Gettysburg Times.

Chairman Don Knight turned the meeting over to Solicitor Tim Shultis.

Solicitor Tim Shultis acknowledged for the record that the following were in attendance:
Don Knight, Supervisor
Charlotte Shaffer, Supervisor
Louann Boyer, Supervisor
Barbara Krebs, Township Manager
David Arndt, Zoning/Code Enforcement Officer

Public Comment on Agenda Items

Solicitor Tim Shultis asked for any public comment regarding agenda items with the exception of the potential appointments to fill two vacancies on the Board of Supervisors.

Ellen Ryan of 36 Franklin Drive provided comment regarding right-to-know, items on the website, the purchasing of software to provide more transparency and livestreaming of meetings.

Bob Miller of 3176 Hanover Pike expressed concerns regarding the appointments of staff instead of Supervisors to the Annual PSATS Education Conference, Adams County Tax Collection Committee, delegate to the Adams County Council of Governments and the Adams County Transportation Planning Organization.

Solicitor Tim Shultis explained the terms in which the appointed Board members would be filling. Tim Shultis advised the appointments are to fill a vacancy for a 4 year term and a 2 year term. The appointment to fill each vacancy will only be until the first Monday in January after

the next municipal election which is 2 years from now. Therefore, those elected will only serve 2 years.

Hearing of Citizens/Public Comment

Solicitor Tim Shultis invited applicants for the Board of Supervisor's position to present to the Board.

Applicants interested in filling one of the vacant positions on the Board of Supervisors were each given an opportunity to speak. These applicants included Ernie Hess of 125 Stafford Drive, Tom Weaver of 174 Panther Drive, Jeffery Sheely of 322 Diller Road and Tom Klunk of 3370 Centennial Road.

Joni Swope of 386 Church Street recommended Tom Weaver for a position on the Board of Supervisors based on experience and election votes.

Ted Bortner of 59 Sterling Drive, a former Supervisor, expressed appreciation for those desiring to fill a position on the Board and those that have served on the Board. He commented on the importance of serving on the Board without a personal agenda.

Kelly McKee of 142 Barley Circle recommended Tom Weaver and Tom Klunk to fill the open positions on the Board of Supervisors based on the write-in election results.

John Strevig of 247 Johnathon Drive, a former Supervisor, recommended Jeffery Sheely and Ernie Hess to fill the open positions on the Board of Supervisor due to his experience working with these individuals and their willingness to listen, get the facts, study and make decisions.

Steve Heller of 1527 Shoemaker Drive in New Oxford, a former Supervisor, advised the Board and the public that one of the open seats was his and he recommended Ernie Hess to fill a position on the Board of Supervisors.

Ellen Ryan of 36 Franklin Drive commented on importance of the Board of Supervisors and the important role they hold.

Bob Miller of 3176 Hanover Pike recommended Tom Weaver and Tom Klunk to fill the open positions on the Board of Supervisors based on the write-in election results.

Terri Shaner of 16 Franklin Drive encouraged the current Supervisors to appoint new Supervisors based on who is most qualified for the position and who would best serve the interest of residence.

Tim Klunk of 508 Delone Avenue in McSherrystown recommended Tom Klunk for a position on the Board of Supervisors.

Tom Weaver of 174 Panther Drive advised he was elected as Elected Auditor but resigned the position due to Board of Supervisors appointing Certified Public Accountants and there being no duties for the Elected Auditor position.

Solicitor Tim Shultis asked if any member of the Board would like to make a motion to appoint someone to the vacant 4 year position with the understanding that this person would only serve until the first Monday in January after the first municipal election.

Chairman Don Knight made a motion to appoint Ernie Hess to fill the 4 year seat seconded by Supervisor Louann Boyer. Solicitor Tim Shultis asked if there was any discussion by the Board of Supervisors.
Roll call: Chairman Don Knight- Yes, Vice Chair Louann Boyer- yes, Supervisor Charlotte Shaffer- No Vote 2 for, 1 against – Motion passed

Supervisor Charlotte Shaffer commented regarding the number of votes needed for the motion to pass. She advised that 3 yes votes must be had to pass a motion in order to have the majority vote of a 5 member board. Solicitor Tim Shultis advised the majority of the Board seated is 2. Tom Weaver of 174 Panther Drive asked Solicitor Tim Shultis if there was case law regarding this issue and Solicitor Tim Shultis advised there is a case regarding this issue. Supervisor Charlotte Shaffer advised she was contesting this decision and seeking outside council.

Solicitor Tim Shultis swore in newly appointed Board member Ernie Hess.

Supervisor Charlotte Shaffer made a motion to appoint Tom Weaver to fill the 2 year term for the Board of Supervisors for calendar years 2020/2021 until the first Monday in January after the municipal election. Solicitor Tim Shultis advised that the motion dies due to a lack of a second.

Supervisor Charlotte Shaffer made a motion to appoint Tom Klunk to fill the 2 year term for the Board of Supervisors for calendar years 2020/2021 until the first Monday in January after the municipal election. Solicitor Tim Shultis advised that the motion dies due to a lack of a second.

Chairman Don Knight made a motion to appoint Jeffery Sheely to the 2 year term seconded by Supervisor Ernie Hess. Solicitor Tim Shultis asked if there was any discussion by the Board of Supervisors. Supervisor Charlotte Shaffer advised the person that seconded the motion was illegitimate.
Roll call: Chairman Don Knight- Yes, Vice Chair Louann Boyer- Yes, Supervisor Charlotte Shaffer- No, Supervisor Ernie Hess- Yes Vote 3 for, 1 against – Motion passed

Supervisor Charlotte Shaffer advised she was contesting this decision as well.

Solicitor Tim Shultis swore in newly appointed Board member Jeffery Sheely.

Reorganizational Meeting 2020

Solicitor Tim Shultis called for nominations for Chair of the Board of Supervisors.
Supervisor Don Knight nominated Louann Boyer to Chair. Solicitor Tim Shultis asked for any other nominations and there were none.
Roll call: Supervisor Don Knight- Yes, Supervisor Louann Boyer- Yes, Supervisor Charlotte Shaffer- No, Supervisor Jeffery Sheely – Yes, Supervisor Ernie Hess- Yes
Vote 4 for, 1 against – Nomination passed

Solicitor Tim Shultis turned the meeting over to Chair Louann Boyer.

Chair Louann Boyer called for nominations for Vice Chair of the Board of Supervisors. Chair Louann Boyer nominated Supervisor Don Knight for Vice Chair. Chair Louann Boyer asked for any other nominations or discussion. There were none.
Roll call: Supervisor Don Knight- Yes, Supervisor Jeffery Sheely – Yes, Supervisor Charlotte Shaffer- No Supervisor Ernie Hess- Yes, Supervisor Louann Boyer- Yes
Vote 4 for, 1 against – Nomination passed

Chair Louann Boyer called for nominations for Board of Supervisors Committees for 2020.

Supervisor Jeffery Sheely made a motion to nominate the following Supervisors to these respective Committees for 2020 seconded by Vice Chair Don Knight.
Discussion: Supervisor Charlotte Shaffer questioned the increase of Supervisors to 2 for Agricultural Preservation. She also advised she is continuing to contest the meeting and questioned the process of abstaining from a vote.

Vote 4-1

- Public Safety (2020 Supervisors Knight & Hess)
- Agricultural Preservation (2020 Supervisor Boyer & Shaffer)
- Police Pension (2020 Supervisor Knight & Boyer-shadowing)
- Municipal Authority (2020 Supervisor Hess & Shaffer-shadowing)
- Planning Commission (2020 Supervisor Sheely)
- Police Negotiation (2020 Supervisors Knight & Hess)
- Finance/Operations (2020 All Supervisors)

Chair Louann Boyer called for the following motions:

Chair Louann Boyer called for the motion to adopt Resolution 2020-A which establishes the fee schedule for the Township in 2020.
Vice Chair Don Knight made motion, of which was seconded by Supervisor Jeffery Sheely, to adopt Resolution 2020-A, Fee Schedule for Conewago Township, as presented.
Barbara Krebs, Township Manager, advised the only change made to the Fee Schedule for 2020 are the Sewage Enforcement Officer (SEO) Fees which increased by 2%.
No Discussion. Vote 4-1

Chair Louann Boyer called for the motion to adopt Resolution 2020-B which establishes the Tax Levy at 2.5109 mills for the Township in 2020.
Supervisor Ernie Hess made motion, of which was seconded by Supervisor Jeffery Sheely, to adopt Resolution 2020-B, Tax Levy, as presented.
No Discussion. Vote 4-1

Chair Louann Boyer called for the motion to adopt Resolution 2020-E which appoints a Certified or Competent Public Accountant or firm of certified or competent public accounts to replace the Elected Auditors.
Vice Chair Don Knight made a motion to adopt Resolution 2020-E, Auditor's Resolution seconded by Supervisor Jeffery Sheely.
No Discussion. Vote 4-1

Chair Louann Boyer called for the motion to adopt Resolution 2020-F, setting the compensation for certain Township employees with the effective rates starting January 1, 2020.
Supervisor Jeffery Sheely made a motion to adopt Resolution 2020-F, setting the compensation for certain Township employees seconded by Vice Chair Don Knight.
Discussion: Tom Weaver of 174 Panther Drive expressed concern regarding the motion and documents associated.
Charlotte Shaffer advised she did not receive Resolution 2020-F until the night of the meeting.
Manager Barbara Krebs advised the Resolution 2020-F was not available to any of the Board members until the night of the meeting and it indicates what was approved during the budget process.

Vote 4-1

The Manager and Secretary/Treasurer were recognized as representatives for the Township at the annual PSATS educational conference held May 3 - 6, 2020.

Supervisor Ernie Hess made motion to appoint Barbara Krebs, Township Manager, the voting delegate for the PSATS' Annual Educational Conference May 3 - 6, 2020 seconded by Supervisor Jeffery Sheely.
Discussion: Supervisor Charlotte Shaffer commented regarding having a Supervisor attend the PSATS' Annual Educational Conference as a delegate instead of staff. Chair Louann Boyer advised that Manager Barbara Krebs currently serves on a Committee at the conference and therefore would be attending however if any Supervisors were interested in attending, she would like to have them go.

Vote 4-1

Vice Chair Don Knight made motion to reappoint Heather Snyder, Secretary/Treasurer with bonding at $750,000.00 and salary compensation at the 2020 rates, seconded by Supervisor Ernie Hess. No Discussion. Vote 5-0

Supervisor Ernie Hess made motion to reappoint the Zoning/Code Enforcement Officer, Maintenance Manager, Chief of Police, and Township Manager at determined 2020 rates, seconded by Supervisor Jeffery Sheely. No Discussion. Vote 4-1

Supervisor Jeffery Sheely made motion to reappoint Solicitor, Tim Shultis of Salzmann Hughes, 1147 Eichelberger Street, Hanover, PA as Conewago Township Solicitor at rates as in the ongoing contracts, seconded by Supervisor Ernie Hess.
No Discussion. Vote 4-1

Vice Chairman Don Knight made motion to reappoint Eckert Seamans, Michael Miller as special labor council and Eckert Seamans, Tricia Springer as Right-to-know council at rates as in ongoing contracts, seconded by Supervisor Ernie Hess. Discussion: Supervisor Charlotte Shaffer questioned Eckert Seamans' rates and the appointment of a right to-know attorney. Manager Barbara Krebs advised the Board has always used the labor attorney which is Eckert Seamans for right-to-know assistance and review. Tricia Springer is the person that handles right-to-know request for their firm and it has been included on the agenda for clarity.

Vote 4-1

Supervisor Ernie Hess made motion to reappoint Harold Eastman as the Zoning Hearing Board Solicitor at rates as in ongoing contracts, seconded by Supervisor Jeffery Sheely.
No Discussion. Vote 4-1

Supervisor Jeffery Sheely made motion to reappoint Douglas Stambaugh of G.H.I. as sewage Enforcement Officer and William Hill's office as alternate S.E.O. at rates as in the ongoing Contracts, seconded by Vice Chair Don Knight.
No Discussion. Vote 4-1

Supervisor Ernie Hess made motion to reappoint Gannett Fleming as the Township Engineer at the rates as in the ongoing contracts, seconded by Supervisor Jeffery Sheely.
No Discussion. Vote 4-1

Vice Chair Don Knight made motion to reappoint Kevin Adams as Township Emergency Management Coordinator for 2020, seconded by Supervisor Jeffery Sheely.
No Discussion. Vote 5-0

Supervisor Ernie Hess made motion to appoint for the 2019 audit RLH as the contracted C.P.A. for the purposes of auditing the accounts of the Township consistent with the Second Class Township Code Section 917, seconded by Supervisor Jeffery Sheely.
No Discussion. Vote 4-1

Supervisor Ernie Hess made motion to reappoint York-Adams Tax Bureau as the collector of the Local Tax Enabling Act 32 (Earned Income and LST), Delinquent Per Capita, seconded by

Supervisor Jeffery Sheely.
No Discussion. Vote 5-0

Supervisor Jeffery Sheely made motion to reappoint Heather Snyder as delegate and Barbara Krebs as alternate delegate to the Adams County Tax Collection Committee and to the York\Adams Tax Bureau, seconded by Supervisor Ernie Hess.
No Discussion. Vote 4-1

Vice Chair Don Knight made motion to reappoint David Arndt, Jr. as delegate and Barbara Krebs as alternate delegate to the Adams County Council of Governments, seconded by Supervisor Ernie Hess.
No Discussion. Vote 4-1

Supervisor Jeffery Sheely made motion to reappoint Heather Snyder as the Right-to-Know Officer and David Arndt Jr. as the alternate, seconded by Vice Chair Don Knight.
No Discussion. Vote 5-0

Supervisor Jeffery Sheely made motion to reappoint the Planning Commission, Zoning Hearing Board, Elected Auditors and Municipal Authority members at seated 2020 rates, seconded by Supervisor Ernie Hess.
No Discussion. Vote 4-1

Supervisor Jeffery Sheely made motion to recognize Scott Small, Maintenance Manager, to attend the Adams County Transportation Planning Organization meetings as needed, seconded by Vice Chair Don Knight. Vote 4-1

Vice Chair Don Knight made motion to reappoint Ted Bortner's position of Chair of the Vacancy Board, seconded by Supervisor Jeffery Sheely. Discussion: Tom Weaver of 174 Panther Drive inquired qualifications for the position of Chair of the Vacancy Board and solicitations for others interested. Township Manager Barbara Krebs advised volunteer application are available for anyone interested. Vote 4-1

Supervisor Jeffery Sheely made motion to recognize the IRS mileage reimbursement rate of 58 cents per mile as 2020 reimbursement rate seconded by Vice Chair Don Knight.
No Discussion. Vote 5-0

New Business

Public notice for the 2020 January meeting schedule was published on December 27, 2019 in the Gettysburg Times. A copy of the advertisement was enclosed in the packet.

Chair Louann Boyer called for the motion to adopt Resolution 2020-C which authorizes the Secretary/Treasurer to pay certain operating disbursements that may become due and payable prior to the Board of Supervisors official review and approval.
Supervisor Jeffery Sheely made motion, of which was seconded by Vice Chair Don Knight, to adopt Resolution 2020-C, Payment of Operating Disbursements, as presented.
No Discussion. Vote 5-0

Chair Louann Boyer called for the motion to adopt Resolution 2020-D, the Disposition of Records for the 2012 Fiscal Year.
Supervisor Ernie Hess made motion, of which was seconded by Vice Chair Don Knight, to adopt Resolution 2020-D, Disposition of Records, as presented.
No Discussion. Vote 4-1

Chair Louann Boyer reviewed the Holiday schedule for regular full-time, non-unionized employees for 2020 to be the following: ½ Day New Year's Eve**,** New Year's Day, Good

Friday, Memorial Day, Independence Day, Labor Day, Veterans Day, ½ day Thanksgiving Eve, Thanksgiving Day and the day after, ½ day Christmas Eve and Christmas Day.

Other Business

Supervisor Jeffery Sheely made motion to reappoint Lynn Toft to Municipal Authority Board, term ending 2024, seconded by Supervisor Ernie Hess.
No Discussion. Vote 4-1

Supervisor Jeffery Sheely made motion to appoint Richard Neiderer to the Zoning Hearing Board, term ending 2023, seconded by Vice Chair Don Knight.
No Discussion. Vote 4-1

Supervisor Ernie Hess made motion to reappoint Dennis Kacmarczyk to the Zoning Hearing Board, term ending 2024, seconded by Supervisor Jeffery Sheely.
No Discussion. Vote 5-0

Public Comment

Bob Miller of 3176 Hanover Pike commented on the will of the people and the Board not following through with that will.

Tom Weaver of 174 Panther Drive advised the Township code indicating it takes a majority of a 5 member board, which is 3, to carry out any activity. He advised no Township business is to be conducted with the vote of the minority of 2 members. He included that while there may be case law on this, the Solicitor should have been prepared to present that to the people of this Township tonight and he was not.

Ted Bortner of 59 Sterling Drive congratulated the new Board members and thanked the past Board for their work. In addition, he mentioned the Rotary 4-way test, and suggested the Board to consider using this with how they move forward with doing business.

Rick McKee of 142 Barley Circle commented by reading the 4-way test on the Rotary coin.

Ellen Ryan of 36 Franklin Drive expressed concerns regarding the decisions of the Board and classes the Board should be taking. Supervisor Charlotte Shaffer advised she is taking classes with PSATS.

Chair Louann Boyer thanked the Board for giving her the opportunity to serve as Chair on the Board and trusting in her. She also welcomed Supervisor Charlotte Shaffer to the Board.
Chair Louann Boyer responded to Ellen Ryan's concern advising that Supervisor Jeffery Sheely and Supervisor Ernie Hess did run in the primary election but did not win in the primary election and therefore their names were not on the ballot in the November election.

Tom Klunk of 3370 Centennial Road expressed concerns regarding the decisions of the Board regarding the appointment of vacancies and the election results.

Ellen Ryan of 36 Franklin Drive commented on providing documents with agendas online and projecting documents at the meeting.

Announcements

- Zoning Hearing Board – January 8, 2020 at 6:00 p.m. – cancelled
- Planning Commission Meeting – January 9, 2020 at 6:00 p.m.
- Public Safety Committee Meeting – January 14, 2020 at 8:30 a.m.
- Finance/Operations Meeting – January 14, 2020 at 9:30 a.m.
- Board of Supervisors Workshop – January 20, 2020 at 5:00 p.m.

- Board of Supervisors Meeting – January 20, 2020 at 6:30 p.m.

Chair Louann Boyer advised that these meetings are open to the public and advertised so anyone is welcome to attend.

Adjournment

Supervisor Ernie Hess made motion to adjourn the meeting at 7:15 p.m., seconded by Supervisor Jeffery Sheely. Vote 5-0

Respectfully Submitted:

Heather Snyder
Secretary/ Treasurer