

CONEWAGO TOWNSHIP VACANCY BOARD

541 OXFORD AVENUE

HANOVER, PA 17331

VACANCY BOARD MEETING FEBRUARY 12, 2020

Ted Bortner called the meeting to order at 5:01 p.m. The meeting began with the Pledge of the Flag and followed by a moment of silence.

The following Supervisors were in attendance:

Ted Bortner

Louann Boyer

Don Knight

Charlotte Shaffer - Absent

The following appointed Township professionals were also in attendance:

Barbara Krebs, Township Manager

Heather Snyder, Sec. /Treas.

Tim Shultis, Solicitor

There were approximately 25 people in attendance including: Ernie Hess of 125 Stafford Drive, Jeffery Sheely of 322 Diller Road, Tom Weaver of 174 Panther Drive, Ellen Ryan and William Popovich of 36 Franklin Drive, Bob and June Miller of 3176 Hanover Pike, John Strevig of 247 Johnathon Drive, Nick Kraus and Joni Swope of 386 Church Street, Tony Eline of 12 Linden Avenue, David and Tara Bolten of 76 Skyview Circle, Tom Klunk of 3370 Centennial Road, Terri Shaner of 16 Franklin Dr., Paul and Sue Krom of 276 Johnathon Dr., David & Edith Weaver of 299 Johnathon Dr., Kelly McKee of 142 Barley Circle, Janice and Henry Sullivan of 33 Bristol Dr., Fred Wilke of 248 Oxford Ave., Evelyn Hess of Hanover, PA, Richard Mastrodomenico of 115 Stafford Dr., Ted Evgeniadis of 5050 N. Sherman Street, Mount Wolf, PA and Andrea Grabenstein of the Gettysburg Times.

Chairman Ted Bortner of the Vacancy Board advised that this meeting has been called to give the candidates for the Board of Supervisor's vacancies an opportunity to speak followed by a question and answer period and then public comment.

Solicitor Tim Shultis advised of the following:

This meeting of the Vacancy Board of Conewago Township is called pursuant to Section 407 (c) of the Second Class Township by the Chairman of the Conewago Township Vacancy Board in his authority under 53 P.S. Section 573 .

The meeting was duly advertised in the Gettysburg Times on February 8, 2020 and posted in the Township office.

53 P.S. § 65407 (c) states: If, for any reason, the board of supervisors refuses, fails, neglects or is unable to fill a vacancy within thirty days after the vacancy occurs, as under this section, the vacancy shall be filled within fifteen additional days by the vacancy board. The vacancy board shall consist of the board of supervisors and one registered elector of the township, who shall be appointed by the board of supervisors at the board's first meeting each calendar year or as soon thereafter as is practical. The appointed elector shall act as the chairperson of the vacancy board.

53 P.S. § 573 states: Any officer of any municipal corporation of this Commonwealth who hereafter may be or heretofore has been elected or appointed and having qualified, shall hold said office until his successor is elected or appointed and duly qualifies.

Consistent with the DA's letter and consistent with the position taken by Tom Weaver, Tom Klunk and Charlotte Shaffer, the Board of Supervisors did not effectually fill the 2 vacancies existing on the Board of

Supervisors. Thirty days have expired since the vacancies have occurred. Since the Board of Supervisors were unable to fill the vacancies, the law requires that the vacancies shall be filled within 15 additional days by the vacancy board.

The Vacancy Board of Conewago Township consists of Don Knight, Louann Boyer, Charlotte Shaffer, and Ted Bortner, a registered elector of the Township who held the office of Vacancy Board chairman in 2019 and, pursuant to law, holds the office until his successor is elected or appointed and duly qualifies. Charlotte Shaffer, through her counsel, has objected to this meeting and is not in attendance.

Ted Bortner referred to the agenda item for the presentations by persons interested in serving on the Board of Supervisors.

Attorney Matthew Teeter advised his clients would not be giving a presentation tonight because tonight's meeting was not a properly called meeting. They may make comments during the public comment section of tonight's meeting. His clients are Mr. Klunk and Mr. Weaver. Township Solicitor Tim Shultis asked Attorney Teeter if his client's want to be considered for the Board of Supervisor's. Attorney Teeter advised his client's do want to be considered but by the consideration through the court.

Ernie Hess of 125 Stafford Drive presented that he served on the board last year and learned a lot and is still learning. As far as the election goes, Louann Boyer and Charlotte Shaffer won. He talked about his experience on other Board's in the area, learning and listening to what the people need. Mr. Hess talked about Mr. Sheely's dedication to the Township with his time served. Mr. Hess advised that is why they are here tonight, they do not wish to cause harm to the Township and cost the taxpayers money.

Jeffery Sheely of 322 Diller Road advised that he agreed with Mr. Hess about the elections. Two people won, no one else won.

Mr. Sheely advised he has lived in the Township about 30 years, and was happy to serve the Township and to give back to the community. Conewago Township is a great Township. Mr. Sheely talked about his business experience, a PHD that he holds in cognitive and conflict resolution skills. He talked about the 3 L's, look, listen and learn and being a team player. He explained his experience holding a position on the Board of Supervisors last year and being 1 of 5, his involvement with a drainage issue, and confidentiality. Mr. Sheely would like to continue to be a part of serving the Township.

Chairman Ted Bortner asked the Board if they had any questions for the candidates. No questions from the Board.

Supervisor Louann Boyer advised she did agree with the statements that Ernie Hess and Jeffery Sheely stated, noting they do not always agree but that the Board works well together as a team. She appreciates their dedication for the last year and their continued dedication.

Chairman Ted Bortner asked the candidates a few questions including what is Municipal, State and County Government, what are the next steps of MS4 and Eisenhower Drive, what agenda do they bring to the table and the importance of how they work with other Municipal Representatives?

Both Mr. Hess and Mr. Sheely gave explanations on what those questions mean to them.

Chairman Ted Bortner advised public comment is open to any resident of the Township that has signed in to ask their questions.

Public Comment

Tom Weaver of 174 Panther Drive and his legal counsel Attorney Matthew Teeter expressed their concerns with this meeting being called improperly. Expressing their concerns with the vacancy board and the municipal election and the write in votes. Mr. Teeter advised that council is incorrect with the law referring to section 407 of the second class township code on vacancies and interpretation of the law.

Fred Wilke of 248 Oxford Avenue advised his question with the two candidates not having their name on the ballot.

Bob Miller of 3176 Hanover Pike concurred with everything said by Mr. Teeter and Mr. Weaver. He also addressed his concerns with the candidate's responses to elections, and the comprehensive plan.

Terri Shaner of 16 Franklin Drive expressed her concern with the answering of the questions on Municipal Government. She advised of her experience with lobbying, how to come to an agreement, and the importance of the Board.

Patricia Mastrodomenico of 115 Stafford Drive expressed her support of the Eisenhower Drive project.

June Miller of 3176 Hanover Pike asked Chair Louann Boyer why she ran for three offices and the concerns that may rise? Chair Louann Boyer advised she ran for all 3 seats with not knowing at the time how many years, 6 year, 4 year or 2 year term, she would want to serve. She advised she filled out 3 petitions for each seat.

Kelly McKee of 142 Barley Circle expressed her concerns with Chair Louann Boyer holding all 3 seats and challenged her to recuse herself. Ms. McKee also expressed her concerns with the two candidates answering the questions tonight.

Tom Weaver of 174 Panther Drive expressed his concern with the first meeting at 4:30 p.m. which advertised for needing a referral for the Vacancy Board and no such motion happened tonight, advising the Vacancy Board is improperly seated.

Jeffery Sheely of 322 Diller Road wanted to clarify the statement "elections do not matter". They do matter but they are governed by laws. The Solicitor has presented the laws as they are and believes the steps that have been taken are according to the law.

William Popovich of 36 Franklin Drive addressed his concerns with the January 6, 2020 meeting and the swearing in of 2 candidates for oath of office after losing the election and addressing the Chairman of the Vacancy Board as the Board being "Outrageous".

Ellen Ryan of 36 Franklin Drive expressed the importance of transparency, voting, women voting and the residents that took time to go to the polls.

Solicitor Tim Shultis advised a letter that Supervisor Louann Boyer will read on behalf of Zachary Brillhart.

Tom Weaver of 174 Panther Drive asked if Zachary Brillhart was residing in the Township. Raising a question that Chairman Ted Bortner advised at the beginning of the meeting he would only listen to residents of the Township. Mr. Bortner agreed that was his statement and no one was able to verify if Zachary Brillhart is residing in the Township, therefore the letter was not read as part of the record.

Chairman Ted Bortner asked for a motion to nominate candidates. No motion was made.

Chairman Ted Bortner advised, with no motion, the Board of Supervisors will need to take that under advisement.

ADJOURNMENT

The Board unanimously adjourned the meeting at 5:51 p.m.

Vote 3-0

Respectfully Submitted:
Heather Snyder, Secretary/Treasurer