

APPROVED

**SPRINGETTSBURY TOWNSHIP
BOARD OF SUPERVISORS
WORK SESSION
JUNE 10, 2020**

MEMBERS IN

ATTENDANCE: Mark Swomley, Chairman
Don Bishop
Bob Cox
George Dvoryak
Charles Wurster

ALSO IN

ATTENDANCE: Dori Bowders, Interim Township Manager
Charles Rausch, Solicitor
Dennis Crabill, Buchart-Horn
John Luciani, First Capital Engineering
Teresa Hummel, Director of Finance
Mark Hodgkinson, Director of Public Works/WWT
Todd King, Chief of Police
Nitza Sanchez-Bowser, Director of HR
Colin Lacey, Director, Parks and Recreation
Ray Markey, Code Compliance Supervisor/BCO, Community Development
Abby Gibb, Communications Manager
Sue Sipe, Stenographer

1. CALL TO ORDER

Chairman Swomley called the meeting to order at 5:30 PM.

2. NEW BUSINESS

- A. Heisey Mechanical, Ltd. - Raw Pump Upgrade/Fat, Oil and Grease Acceptance Project - Change Order Request - Cornell Pumps and Associated Costs

Mr. Crabill stated the total appears to be reasonable. The quote for the pumps is \$121,600, which he noted includes all associated items. This involves a time delay until June 2021 for the work. Due to COVID-19 they will need a time extension for the remainder of the work on the project slated for June 2021. Mr. Crabill stated due to the urgency he did not want it to go to June 2021 for completion. Mr. Crabill indicated he does not have the official change order as yet, so Chairman Swomley will need to sign the official change order when it arrives.

MR. BISHOP MOVED TO APPROVE THE HEISEY CHANGE ORDER FOR THE CORNELL PUMPS AND ASSOCIATED COSTS. MR. DVORYAK SECONDED. A UNANIMOUS VOTE WAS DECLARED.

B. Budget Update

Ms. Hummel provided an update on the Township tax revenues collected for May. She indicated last week the Township received the tax collection notices from the York-Adams Tax Bureau and for the month of May the Township received \$339,879 from business and local services taxes. Compared to the month of May 2019 the tax revenue had a decrease of \$546,000. Ms. Hummel stated this is the first month the Township has seen a hit based on the activities and closed businesses in the community. Ms. Hummel stated at this time they cannot determine if the decrease is lost revenue or whether it is delayed revenue based on the tax deadline extensions through July 15, 2020. Next week she will have an update on the earned income taxes which arrive around the 17th of the month.

In regards to municipal real estate taxes, Ms. Hummel indicated there is no change from her last report. They are down approximately 8% or \$280,000 for the year compared to the same time last year. The deadline for taxes was extended at the face amount through December 31, 2020. She expects those real estate taxes to come but they will be delayed over the next several months. She noted they are seeing significant decreases in the real estate transfer taxes compared to last year. They had some large sales early last year in the first quarter and they are hoping that through the summer, those taxes will rebound in the next three to four months.

Mr. Wurster noted they will continue to monitor the budget because of the hit to the tax revenue of \$546,000.

C. Resolution No. 2020-43 - Authorizing One-Time Waiver of Penalties and Interest for Sewer Utility Accounts with Current Balances as of March 31, 2020

Ms. Hummel stated this follows the policies with the governor's recommendations and the county recommendations for extending deadlines and possible waivers for penalties and interest to residents who had been impacted by the business closings and unemployment through the second quarter. This waiver would apply for those accounts who were current as of March 31, 2020. With the third quarter billing coming at the end of the month, those penalties and interest after July 31st would be impacted.

MR. WURSTER MOVED TO ADOPT RESOLUTION NO. 2020-43 AUTHORIZING ONE-TIME WAIVER OF PENALTIES AND INTEREST FOR SEWER UTILITY ACCOUNTS WITH CURRENT BALANCES AS OF MARCH 31, 2020. MR. COX SECONDED. A UNANIMOUS VOTE WAS DECLARED.

D. Township Manager Search

Chairman Swomley referred to the information that was sent out to the Board. He asked if there were updates made to the agenda based on any late additions.

Ms. Sanchez-Bowser indicated the Board should have received today the updates which are in progress and most of them have been made. She noted there were no further changes to the job description.

Job Description

Discussion was held as to whether there is a requirement that the township manager live in the Township.

Chairman Swomley noted that is not a requirement in the job description but he believed it is in the contract they have been using.

Solicitor Rausch affirmed that was correct.

Ms. Sanchez-Bowser referred to the Ordinance which reads, “The manager need not be a resident of the Township or the Commonwealth of Pennsylvania at the time of his appointment, but during the tenure of his office he may reside outside of the township only with the approval of the Board of Supervisors. If the Board of Supervisors fails within a reasonable time, not to exceed 60 days after the appointment to approve the manager’s residence outside the township, he must immediately become and during his tenure remain, a resident of the township.

MR. WURSTER MOVED FOR THE APPROVAL OF THE JOB DESCRIPTION AS PRESENTED. SECONDED BY MR. COX. MOTION UNANIMOUSLY PASSED.

Hiring Process and Schedule –

Ms. Sanchez-Bowser stated one change proposed is to change due date to target due date which has been updated. She will resend it to the Board. Other feedback received is regarding the brochure which was sent to Ms. Gibb for finalization.

Mr. Dvoryak questioned at what point in the process does the Township have to disclose the candidates for the position.

Solicitor Rausch indicated once the candidates are selected, if the Board is going to be conducting interviews together those interviews should be done in a public setting. At that point, those individuals would be identified. The Board can discuss selection in executive session and then the vote would be public. Chairman Swomley pointed out if they conducted round-robin interviews one-on-one they would not have to be in a public setting. Solicitor Rausch affirmed that was correct.

Solicitor Rausch indicated that since the search committee is a committee of the Board rendering advice, and as an activity of the Township, their meetings should be public also. Whoever is reviewing the resumes will need to narrow them down for the Board to interview.

Chairman Swomley asked if the report of the committee would be public but the names withheld because of privacy concerns until the final selection is made.

Solicitor Rausch did not have an answer to that, however he noted his inclination is to say no, but was not sure and needed to research that. Chairman Swomley recommended he move forward with that search, since he did not want to discourage candidates from applying because they may be unveiled before appropriate, based on the applicant’s employment situation.

Mr. Dvoryak agreed and asked how that process could be conducted to preserve privacy for those individuals applying who would not want their current employer to know they are pursuing this position.

Mr. Wurster stated one option is to not use an advisory committee or a search committee at that level and rely on the HR team to manage that part of the process.

Solicitor Rausch stated he understood the privacy issue, but anyone applying for the position understands the public nature of it as well.

Mr. Cox stated as far as not using an advisory committee, he believed there was already negative feedback from some of their constituents based on several emails that were forwarded to him which indicated concerns that it should not be done publicly.

Chairman Swomley stated not knowing the source of those emails or the motivation behind them, he addressed this with the solicitor and it was determined there is no problem with the method currently being used at this time.

Mr. Dvoryak added from a hypothetically standpoint, if there was an advisory committee made up of residents and one of those residents released confidential information and perhaps even divulged the name of one of the candidates, a potential lawsuit would fall upon Springettsbury Township Board of Supervisors - not the volunteer who serves on the advisory committee.

Solicitor Rausch agreed that was correct. He stated he understood why the Board did not want to go with a professional search firm but one of the advantages is they can do all the vetting privately and select 4-5 candidates the Board would interview.

Mr. Wurster asked if there was any insight as to how other Townships of the second-class approach this situation.

Chair Swomley stated he spoke with Jonathan Hulse who indicated they conducted their own search and were pleased with the results. They did not go with an outside consultant.

Mr. Bishop stated he appreciated Mr. Dvoryak's concern about privacy and that the selection of the committee would be critical. He noted it would need to include individuals who had an understanding of privacy issues and what they can and cannot do. He indicated the other option to consider would be to hire someone specifically for that process - a consultant in the committee that would be able to go through all the resumes and determine a first cut.

Mr. Cox asked a question about the selection process which says the Chairman of the Board and HR will call the candidate to offer the position. He thought the Solicitor in the past made the offer or sent out the offer for the Township.

Solicitor Rausch affirmed for the past few office managers he presented the offer to the candidate.

Ms. Sanchez-Bowman stated that process can be changed.

Mr. Bishop stated it was not necessary to have a lawyer make the offer and felt it would be better to have the Chairman make the offer.

Mr. Wurster agreed.

Solicitor Rausch indicated he could be the buffer for other issues that would need to be negotiated at the discretion of the Board.

It was noted that the Chairman's role in calling to make the offer does not mean a negotiation is going to take place since there is another step in the final negotiation. It was determined the Solicitor would need to be involved in preparing the offer.

Ms. Sanchez-Bowman stated she would provide an update.

Chairman Swomley pointed out the number of members on the Advisory Board appears to be an even number. He recommended this be changed to having an odd number of members.

Mr. Bishop stated he had an idea of who to streamline the process of the Advisory Board. He felt their role should be to review resumes and score them to arrive at a final number of candidates. He noted the review process could happen independently using a numerical scoring in several categories with comments. That information would be made available to the Board, who would decide who they want to interview.

Mr. Bishop further explained with this process every step along the way with all the interactions with the candidates would be documented. He noted Ms. Sanchez-Bowzer has started a log of the information which is available to the Board. This would enable the whole process to be transparent to the Board.

Mr. Wurster asked if the Township has an information tracking system that allows comments to be made on the candidate's file.

Ms. Sanchez-Bowzer indicated they have a basic applicant tracking form, but it does not allow comments or information on the interviews and cannot be shared.

Mr. Bishop suggested that it would be possible to develop a more sophisticated tracking system using the tools in Office 365.

Ms. Sanchez-Bowzer agreed that tool could be used and will work to develop a program. She noted permissions to view it would only be granted for the Board to be sensitive to privacy concerns.

Discussion was held regarding the formulization of the Advisory Committee. Mr. Wurster stated individuals who have expressed interest for the committee are Justin Tomevi, Jim Tanzola and Denny Crabill.

Chairman Swomley and Mr. Wurster both indicated there are several other names suggested that will be vetted and finalized with Ms. Sanchez-Bowzer on Friday.

Rating Card

Chairman Swomley asked if there were any updates or concerns regarding the rating card.

It was noted an applicant log will be provided which lists the candidates and provides a website link to obtain the information.

Discussion was held regarding the rating score. Ms. Sanchez-Bowzer indicated she is proposing a 1-2-3 scoring which is 1-superior, 2 - well-qualified and 3 -satisfactory along with the comments. She noted the scoring is a tool for the Board of Supervisors. There is another for the Advisory Committee which is more fact based information obtained from the resumes.

Mr. Bishop commented he thought the Advisory Board should be using the one in the packet labeled Scoring Card Board. He did not feel they should go through the resume to determine a score, but rather should come up with an impression in these categories. He noted his proposal for a 1 to 5 rating would provide a wider range. He also did not feel the Board of Supervisors needs a scoring card.

Chairman Swomley and Mr. Wurster concurred with Mr. Bishop.

Mr. Bishop commented he thought it would be more valuable for the Board to be able to see the comments the individual Advisory Board members make about individual candidates.

Interview Questions

Chairman Swomley indicated the interview questions do not have to be approved at this time. Ms. Sanchez-Bowzer stated she is currently working on a list of what questions should not be asked, Solicitor Rausch recommended meeting with Ms. Sanchez-Bowzer to develop a plan for who asks what question, since follow up questions are as important. Mr. Wurster concurred.

Mr. Bishop commented it would be advantageous to keep the process transparent. He questioned if there would be any issues with recording Zoom interviews, should a board member not be available when scheduling the interviews.

Mr. Wurster was in support of the transparency and agreed there may be issues with timing and scheduling. He felt using Zoom would provide a tool to manage the process, if necessary.

Solicitor Rausch stated if the candidate agrees he did not see any issue with it.

Brochure

Chairman Swomley noted he offered several edits.

Mr. Wurster suggested that the narrative in the brochure be reduced, adding more pages of fact-based bullet points. He felt it was important to project economic vitality in the Township - perhaps adding more photos of important businesses and highways in the Township.

Mr. Cox referred to the photos at the beginning of the brochure which show the zoning map and the Township's location within York County and Pennsylvania. He suggested an aerial photo of the Township which would show many of the industrial buildings and the interstate highways, while labeling specific areas such as the Galleria Mall and others.

Mr. Dvoryak recommended for the brochure that it state "we offer a competitive salary and benefit package" vs. naming a salary range. The Board was in agreement.

Mr. Swomley commended Ms. Sanchez-Bowzer for her efforts on this endeavor. He also thanked Mr. Bishop and Mr. Wurster for their input. He sated he appreciated all comments from the Board.

Mr. Dvoryak asked Ms. Bowders and Ms. Sanchez-Bowzer about obtaining information from the PSATS salary survey which is more regionalized and geared to townships the size of Springettsbury. He commented he was reluctant to put a compensation number without having that data. He noted the starting salary range listed is based on numbers he has seen in the private sector, and appears to be quite low for the demands and requirements of the position being filled with the budget and size for which we are hiring.

Ms. Sanchez-Bowzer stated they have been trying to contact PSATS. She noted their reports are not user friendly, and they are unable to access even 2019 data. She noted the site requires a User ID and permissions which the former township manager possessed. She noted they will continue to try to contact them.

Mr. Wurster indicated he will reach out and send a message to PSATS.

Solicitor Rausch stated the Pennsylvania Municipal League might also have information.

3. PUBLIC COMMENT

There was no public comment.

4. ADJOURNMENT

CHAIRMAN SWOMLEY ADJOURNED THE MEETING AT 6:30 P.M.

Respectfully submitted,

Doreen K. Bowders
Secretary

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