

# BOARD OF SUPERVISORS MEETING AUGUST 19, 2015

Minutes of the regular Board of Supervisors meeting held August 19, 2015 at 7:00 p.m. at the Pequea Township Municipal Building, 1028 Millwood Road, Willow Street, PA 17584.

## Present at the meeting were:

Board of Supervisors:

Harry D. Lehman, Chairman  
Rob Reidenbach, Vice-Chairman  
Cynthia Evans-Herr, Supervisor

## Others present:

Sandra D. Graham, Twp. Secretary  
Beth C. Sterling, Treasurer  
Mark Deimler, Solanco Engineering  
Sign-in Sheet attached

## ANNOUNCEMENTS:

- Public Meetings may be both audio and video recorded.
- Effective August 4, 2015, Shultz Road was open to vehicular traffic
- Vice Chairman Reidenbach announced the Board of Supervisors received the Workplace Incident Investigation Report that was conducted by Attorney C. Edward Browne of Nikolaus & Hohenadel and requested it be added to this evening's agenda.

## ADDENDUM: Workplace Incident Investigation

**MINUTES OF PREVIOUS MEETING:** Chairman Lehman moved to approve the Minutes of the July 15, 2015 Public Hearing for the Zoning Ordinance. Vice Chairman Reidenbach seconded the motion. Chairman Lehman and Vice Chairman Reidenbach voted Aye. Supervisor Evans-Herr abstained as she was not present at the Hearing. Chairman Lehman moved to approve the Minutes of the July 15, 2015, regular meeting with a correction to the misspelling of James Rudy's last name. Chairman Lehman and Vice Chairman Reidenbach voted Aye. Supervisor Evans-Herr abstained as she was not present at the meeting.

**TREASURERS REPORT:** A copy of the bill list is on the table. Chairman Lehman moved to approve check no. 9744 through no. 9767 of the General Fund, and check no. 1215 through no. 1217 of the Recreation Fund. Vice Chairman Reidenbach seconded the motion. All voted in favor, none opposed.

**POLICE REPORT:** Officer Diane Carter and her K-9 partner, Train, thanked the township and the community for their support for a successful K-9 fundraiser. She estimates the profit to be over \$4,000.00. She also mentioned that t-shirts are available for purchase on the Southern Regional Police Departments Facebook page, under K-9 Train.

Officer Pfeiffer delivered the July 2015 police report.

## PUBLIC COMMENTS:

Chairman Lehman explained that the purpose of the allotted time for public comment is to keep the length of the meetings within a reasonable time period. He encouraged residents to call the Board of Supervisors at home to address questions or to expound on a topic. Supervisor phone numbers are available on our web-site but he asked they reframe from calling on Sundays.

## Items on the agenda:

Jackie Johns inquired about the workplace investigation report wanting to know what the report is all about and the cost. Chairman Lehman explained an investigation was conducted due to an incident between Supervisor Evans-Herr and Sandra Graham, the township secretary. He said the cost is unknown at this point.

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Mr. Rudy spoke at July's meeting in regards to the Radcliff Road Bridge. This evening he submitted a letter to the board and highlighted the importance of keeping the bridge open. He asked if a count of the houses affected from the closure was ever performed. He stated that it is not feasible to get a firetruck close enough to draw water from the creek and suggested the money spent on a turn-around would be better spent to fix the bridge. Chairman Lehman identified New Danville Fire Chief Brad Shenk and West Willow Fire Chief Jason Topper who were present and asked Mr. Rudy to meet with them after the meeting to see what measures they have taken and if there are other draft sites to draw water from.

## **Items not on the agenda:**

Jackie Johns stated that recently the township office hours were changed so that staff would not be alone in the building. She said we should also consider locking the door during working hours if one of the employees is absent.

Ms. Johns had comments regarding July expenses, particularly legal fees. She noted they were elevated due to the recent ordinances and she asked if the board expected to write any new ordinances in the near future. She inquired about general legal expenses and what this account was designated for. Ms. Johns asked if the engineer costs were related to the bridge repairs and questioned if any of the expenses included MS-4 work. Chairman Lehman requested that Ms. Johns talk with him during the week as he would be better prepared to answer all her questions correctly.

Ms. Johns said she previously inquired about the Solicitation and Nuisance Ordinances. She suggested the office employees or planning commission members prepare preliminary drafts of ordinances such as this, in an effort to reduce solicitor fees.

## **OLD BUSINESS:**

- Parking Violation – Fee increase – Tabled until September 2015.

## **NEW BUSINESS:**

- Radcliff Road Bridge – Solanco Engineering Proposal –Chairman Lehman moved to authorize Solanco Engineering Work Authorization for the feasibility study to determine construction cost, permitting cost and overall feasibility related to the following options with respect to Radcliff Road Bridge; repair, removal or transfer ownership to a private entity, providing that Providence Township agrees to split the cost, not to exceed \$1,200.00 total, for the study. Vice Chairman Reidenbach seconded the motion. All voted in favor. None opposed. Chairman Lehman confirmed with Mark Deimler that the report will be completed in sixty days from the date Providence signs the proposal. Topic will most likely be discussed at November's board meeting.
- Stoney Lane – Culvert Repair Quotes – June meeting we discussed obtaining quotes for fall repair. Chairman Lehman moved to authorize the township engineer to obtain quotes for the Stoney Lane Culvert with exception of any paving needed. Supervisor Evans-Herr seconded the motion. All voted in favor. None opposed.
- IT Administrator – Supervisor Evans-Herr moved to rescind the IT Administrator policy by means of a township supervisor. Chairman Lehman seconded the motion. All voted in favor. None opposed.
- Canon Production Scanner – Chairman Lehman moved to authorize the purchase of the Canon DR-6010C scanner and stand in the approximate amount of \$2,868.95. Vice Chairman Reidenbach seconded the motion. Supervisor Evans-Herr inquired about scanning the large maps and blue prints in our zoning office. She asked the Treasurer to research options on out-

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sourcing the work and further discussion will ensue at the budget workshop meetings. Vice Chairman Reidenbach seconded the motion. All voted in favor. None opposed.

## **Addendum:**

- Workplace Incident Investigation

Supervisor Evans-Herr excused herself from the meeting.

Vice Chairman Reidenbach read the report in its entirety. Chairman Lehman moved to have the Workplace Incident Investigation attached to the minutes. Vice Chairman Reidenbach seconded the motion. Chairman Lehman and Vice Chairman Reidenbach voted AYE. Supervisor Evans-Herr was not in attendance during the reading of the report.

Chairman Lehman moved to recommend the Township through its Board of Supervisors issue a notice of disapproval to Supervisor Evans-Herr, stating that her use the township email system disparaging an employee would be a violation of township personnel policy and is not, in any way, supported by the township. Vice Chairman Reidenbach seconded the motion. Chairman Lehman and Vice Chairman Reidenbach voted AYE. Supervisor Evans-Herr was not in attendance during the reading of the report.

Vice Chairman Reidenbach moved to direct that Supervisor Evans-Herr attend appropriate training through PSATS or other recognized providers to address re-mediation of the effect her behavior has on the township employees and its workplace environment. Under Section 65607, Section 4 of the township code, expenses of such training as delineated in sub-section shall be paid by the township. Chairman Lehman seconded the motion. Vice Chairman Reidenbach and Chairman Lehman both voted AYE. Supervisor Evans-Herr was not in attendance during the reading of the report.

Chairman Lehman moved to include Vice Chairman Reidenbach's initial statement, prior to reading the report, be included in the minutes verbatim (attached). Vice Chairman Reidenbach seconded the motion. Chairman Lehman and Vice Chairman Reidenbach voted AYE. Supervisor Evans-Herr was not in attendance during the reading of the report.

## **DEPARTMENTAL REPORTS:**

**Road Crew** – Report on file.

**Zoning/Code Officer** – Report on file.

**Southern Regional Police Department** – Monthly report on table

**Southern Regional Police Commission-Chairman Reidenbach** –Southern Lancaster County Inter-Municipal Council – Supervisor Evans-Herr

**Emergency Management**

**Pequea Township Zoning Hearing Board** – Meeting held July 7, 2015. Next meeting scheduled September 1, 2015.

## **ADVISORY BOARD REPORTS:**

**Pequea Township Planning Commission** – Meeting held May 27, 2015. Next meeting scheduled August 26, 2015.

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Chairman Lehman thanked Beth Sterling, the new treasurer and Sandy Graham, for working as team members. He stated he greatly appreciates how well they work together and cover for each other with the phones, etc. and cross training from the start.

**MEETING ADJOURNED** at 8:15 P.M.

Respectfully,

  
Sandra D. Graham, Township Secretary

to  
Sec.

8/19/2015

Workspace Webmail :: Print

[Print](#) | [Close Window](#)

**Subject:** Fwd: [FWD: RE: edit requested]

**From:** The Reidenbachs <rrdr330@gmail.com>

**Date:** Wed, Aug 19, 2015 3:42 pm

**To:** "robreidenbach@pequeatwp.org" <robreidenbach@pequeatwp.org>

State and federal law requires that we supervisors provide a workplace free from harassment and take measures to correct any violations. I am making public record of our past and current measures to prevent and correct incidents of harassment.

Recently two residents spoke during public comment and questioned the high employee turnover. We are now able to offer transparency as to the main reasons why this staff turnover has occurred. Unfortunately, Supervisor Lehman and I have been obligated to take numerous measures to improve the employees' working conditions over the past 20 months such as establishing an employee liaison, establishing a legal liaison, twice revising our personnel policy, authorizing an investigative report regarding a police involved incident with Sup. Evans-Herr and an employee and many more precautionary contacts with our solicitor. This has strained and exceeded our legal budget but is necessary to retain employees and guarantee a productive work environment as we are legally required to do. We even switched our phone service provider to a more costly option which enabled us to conduct a phone-study which proved abuse of authority and misuse of work hours.

Since this current investigation will be expensive, I feel the taxpayers have a right to know the frivolous, inexcusable causes for which their money is being spent. It is indeed unfortunate to have spent this amount of taxpayer money on all these preventative and corrective legal actions. Better we could have spent this money on road paving and our crumbling bridges and culverts.

The following report will explain much of what has transpired with this Board over these past 20 months and why there is not a reasonable professional working relationship amongst us due to Cynthia's relentless efforts to politicize our employees. And, this investigative report is only the beginning!

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# MEMORANDUM

To: Pequea Township Board of Supervisors  
From: C. Edward Browne, Nikolaus & Hohenadel, LLP  
Date: August 17, 2015  
Subject: Workplace Incident Investigation

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The Board of Supervisors of Pequea Township directed its Solicitor to conduct an investigation regarding a recent workplace incident at the Township. I, C. Edward Browne of Nikolaus & Hohenadel, LLP, was selected to perform said investigation. My initial contact regarding this investigation was with Chairman Harry Lehman on July 2, 2015, with an additional follow-up conversation on July 7, 2015. I was also told that the impetus for the investigation was to investigate an incident that occurred on June 26, 2015 in which a Township employee called a Supervisor and the Supervisor responded by contacting the police and reporting an incident at the Township building. Other than the names of the parties involved, no further information regarding the incident was given to me at that time. Additionally, it was agreed that the purpose of this investigation was both to determine the facts surrounding the incident as well as to make proactive recommendations to the Township in order to improve its workplace environment. Thereafter, an announcement was made to all employees and supervisors through Chairman Lehman on July 9, 2015 stating:

In an effort to continuously improve its workplace, the Township, through its Solicitor, will be conducting an investigation to assess the Township's work environment. One of the purposes of the investigation is to provide constructive recommendations regarding the Township's operations. As part of this investigation, Attorney C. Edward Browne of Nikolaus & Hohenadel, LLP will be scheduling times to meet with all fulltime Township employees and office personnel. The investigation is expected to take one to two weeks.

The Township is requesting that you refrain from discussing this investigation until you have spoken with Attorney Browne directly, and that you refrain from deleting or destroying any electronically stored communications between you and any other Township employee. Your cooperation in this matter is greatly appreciated.

At no time was I requested to conduct an investigation for the purpose of getting anyone in trouble, to promote any agenda, or in anticipation of taking any action against any person. The investigation was limited to only the purposes stated above. It was

further agreed that the investigation would begin with my speaking to the following individuals: (1) Supervisor Harry Lehman; (2) Supervisor Rob Reidenbach; (3) Supervisor Cynthia Evans-Herr; (4) Township Secretary Sandra Graham; (5) Township Treasurer Beth Sterling; (6) Township Road Master Bruce Frymyer; and (7) Township Assistant Road Master Jeff Fry. Access to additional individuals was permitted if I deemed necessary for the investigation.

### **Preliminary Instructions To All Individuals Interviewed**

Interviews of the seven individuals named above were conducted by me between the dates of July 9 through July 27, 2015. At the beginning of each interview, I specifically informed each individual of the following: (1) although I am an attorney I am not their attorney, and that I represent Pequea Township; (2) I advised that all comments made to me are not protected by the attorney-client privilege, and are not confidential in any way. (3) I also advised the purpose of the interview was, in part, to make constructive recommendations to improve the workplace environment in the Township; and (4) I encouraged all individuals to participate freely with the investigation. When asked, I also explained that they are not required to participate in the investigation as part of their employment. (5) Finally, I explained that the investigation is not in any way a criminal investigation, and that its purpose is not to get anyone in trouble or to be used as "a witch hunt." Additionally, I concluded each interview by providing my contact information in the event the person forgot to mention anything, or wished to further clarify his or her statement. Two individuals followed-up with additional comments after his/her initial interviews.

All individuals stated they understood the instructions and agreed to participate freely.

### **Initial Observations**

From the outset, all individuals both freely cooperated with the investigation and indicated a desire to improve the Township's workplace environment. Additionally, each person indicated that he or she has been affected in some way by the Board of Supervisors' inability to work together in a civil fashion. Specifically, all employees of the Township have noted firsthand the "dysfunction" among the Board of Supervisors that has permeated the workplace environment. Some individual Township employees have also reported being "sucked into" the politics in one form or another, and generally by one or another of the Supervisors attempting to persuade them as to the correctness (or wrongness) of the Board of Supervisors' joint decision(s). It was also repeatedly noted that the dysfunction does not end at the Board of Supervisor's public meetings but also carries over into the daily workplace environment. As a result, the Supervisors have been scheduling times to sign all Township checks individually. However, on the occasions in which two Supervisors are present at the Township building at the same time, unpleasant verbal exchanges occur between the Supervisors present.

It should also be noted that of the four Township employees interviewed, all unilaterally stated that they take pride in their work for the Township and want to continue to do their jobs. It is clear that all four are extremely dedicated to the Township and wanted to participate in this investigation in order to help the Township function more smoothly. All four also appeared eager to discuss with me recommendations and thoughts regarding improving the Township's workplace as a whole. My initial observation regarding this behavior is that the Township is lucky to have such dedicated employees.

Additionally, and as set forth in greater detail below, I also reviewed various emails sent by current and former Township employees and Supervisors through the Township's email accounts. Section 13 of the Pequea Township Personnel Policy Effective March 19, 2015 allows the Township to monitor, review, access, audit, and disclose said emails. The emails I viewed contained negative comments and criticism that tie into the Incident and that I will address as part of my recommendations going forward.

### **The Incident**

As related to me by multiple parties, an incident occurred on June 26, 2015 at approximately 6:30 p.m. The following is my reconstruction of what happened during that time:

In the beginning of June of 2015, the employment of the Township's former Treasurer was terminated. As a result, the Township, through its prior implementation of cross-training its employees, was able to shift duties to the assistant Treasurer -- the Township's current secretary, Sandra Graham -- to temporarily fill the open position. In her role as Assistant Treasurer as well as in her capacity as the Township's Right-To-Know Officer, "Sandy" was instructed to review and catalogue all of the prior Treasurer's emails sent to and from the Township's email address. Sandy was working in that capacity beginning as early as June 25 and into the evening of June 26, 2015. Sandy was working in the Township building after regular hours on both June 25 and June 26, 2015 as the project was quite extensive and she wanted to do the best job possible. During the process of cataloguing the prior Treasurer's work emails, Sandy uncovered various emails both by and between the former Treasurer to a former secretary, as well as emails to and from Township Supervisor Cynthia Evans-Herr. All emails being catalogued were sent and/or received through the Township's email addresses, and no personal email accounts of the Township's employees or Supervisors were, to my knowledge, used, and I did not search or access any personal email accounts.

As was quickly discovered, the emails contained multiple derogatory comments, references, and criticisms both personally and professionally regarding Sandy. Some of the derogatory comments came directly from Supervisor Cynthia Evans-Herr, some of the derogatory comments came directly from the former Treasurer, and on at least one occasion a derogatory comment was made by the Township's former Secretary. The derogatory comments included Supervisor Evans-Herr calling Sandy "an idiot", as well



as overly-detailed criticisms of the way Sandy performs her job and interacts with the public. Reading these emails was a significant shock to Sandy. Sandy admits that she became very distraught and upset upon reviewing them. Sandy prides herself on being a loyal, honest, and very hardworking individual, and she took particular offense to some of the derogatory comments by Supervisor Evans-Herr calling into question her truthfulness.

Sandy's initial response to the first few negative emails she uncovered was to send Supervisor Lehman an email on Thursday, June 25, 2015 in which she indicated she had discovered some "hate mail", that she is suffering from exhaustion and stress as a result of the workplace environment at the Township, and stated that she believed she had been set up to fail from the very beginning. Sandy, in her June 25, 2015 email, also stated she wanted to continue with the job, and was targeting completion of the project by the following Monday.

Sandy continued cataloguing the emails into Friday, June 26, 2015 wherein she discovered more and more derogatory exchanges by the Township's former Treasurer and Supervisor Evans-Herr, which Sandy believed confirmed her belief that certain individuals within the Township had been setting her up for failure from the beginning of her employment.

As a result, at approximately 6:25 p.m., Sandy called Supervisor Evans-Herr's personal phone from the Township office and began by stating: "Don't ever call me a liar again." The two women then commenced shouting at each other for approximately 30 seconds without either fully comprehending or listening to the statements made by the other party. No threats of physical violence were made by either party, and Sandy made it clear to Supervisor Evans-Herr that Sandy had discovered Supervisor Evans-Herr's negative comments included in her various emails with the Township's former Treasurer. Supervisor Evans-Herr then terminated the phone call.

Shortly after making the call, Sandy contacted a personal friend requesting guidance and assistance in an effort to calm herself. Sandy also stated that she immediately regretted making the phone call. She stated she made the call in reaction to becoming "overwhelmed" by the negative comments that she always suspected were being made, but until that point had not been forced to confront.

Sandy then attempted to contact Supervisor Lehman in his capacity as the Administrative Liaison. Supervisor Lehman was unavailable as he was out of the area at that time. Sandy next contacted Supervisor Reidenbach as the Vice Chairman of the Board, and the second contact in the event the Administrative Liaison is unavailable. Supervisor Reidenbach, and his wife, then proceeded to the Township Building as Sandy indicated that she was worried Supervisor Evans-Herr may report the incident to the police.

Supervisor Evans-Herr's reaction to the phone call was to do the following: (1) place a phone call to Supervisor Lehman in which she left the following message on his voice mail:

This is a real problem here because I'm going to the Solicitor now about it. I'm fucking tired of all your games Harry Lehman. Right now this has been, Sandy just called me from the Township building on my cellphone, hurray, and threatened me. Really, really Harry? You guys are totally fucked up. I'm going to the Solicitor. Get, she needs to be fired. I will not have, alright, some fucked up little bitch calling me, alright, cussing at me, and threatening me. You guys gotta real fucking problem here.;

(2) call the Southern Regional Police Department to report the phone call. Supervisor Evans-Herr stated to me that she called the police because she lives half a mile away from the Township building and did not want Sandy coming to her house. She further believed that Sandy's initial statements of "Don't ever call me a liar again" were "a hostile act" that she interpreted as a threat; and (3) send an email to Supervisors Lehman and Reidenbach at 9:47 p.m. on June 26, 2015 via the Township's email address indicating the phone call she received from Sandy, her actions taken in response, and referenced her voice-message left on Supervisor Lehman's phone as to the nature of Sandy's call.

Within 20 minutes of Sandy's phone call to Supervisor Evans-Herr, Supervisor Reidenbach, Supervisor Reidenbach's wife, and an officer with the Southern Regional Police Department arrived at the Township building. Sandy was present at the Township building for the arrival of the same. It is believed that the police officer conducted a routine investigation to determine whether or not: (a) a crime had occurred; and (b) anyone was at risk. The police officer then left after speaking with Sandy and determining that the premises were secure.

As part of this investigation, I did not speak with the police officer.

#### **Assessment of the Incident and Recommend Action**

The exact words of what was said between Sandy and Supervisor Evans-Herr during the phone call are unknown because other than the statement of "Don't ever call me a liar again", the parties did not listen to one another. However, and although no physical threats were made, it is clear Supervisor Evans-Herr believes the incident was a result of Sandy's hostile behavior. My assessment is that it was a mistake on Sandy's part to contact Supervisor Evans-Herr directly and after hours to confront her regarding the emails. However, it is also my opinion that the action was not indicative of insubordination but rather was the result of her shock and frustration at the volume of negative and "behind her back" derogatory comments made by a former co-worker(s) and current Supervisor. Further, Sandy had a legitimate work-related reason for viewing the

emails and no impropriety can be assigned to her for either reading the emails or being at the Township building after hours.

My assessment of Supervisor Evans-Herr's actions on the night in question is that she was acting out of a long-held and deep seated distrust and lack of respect for Sandy both personally and professionally. This lack of respect is clearly documented in Supervisor Evans-Herr's various emails sent from her Township email account. I also note Supervisor Evans-Herr's initial reaction to the incident included telling Supervisor Lehman – before he had any knowledge of the incident – that she is tired of *his games*. This investigation did not reveal any connection between Supervisor Lehman and Sandy's decision to call Supervisor Evans-Herr.

Based on this assessment, I recommend the Township take the following action: that Sandy receive counseling for the inappropriate manner in which she contacted Supervisor Evans-Herr. As stated above, no discipline or negative inference may be drawn from Sandy either accessing the emails or working after regular office hours to complete a project. However, the Township has created a process to handle situations in which an employee believes he or she is the target of inappropriate or harassing behavior. That policy includes filing a complaint with the Chair or Vice Chair of the Board of Supervisors first. While the Personnel Policy does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that his or her behavior is unwelcome and requesting that it be discontinued, Sandy – in choosing to call Supervisor Evans-Herr after regular business hours and long after the offending emails had been created or sent – was not merely requesting that the perceived offender stop. Rather, in beginning the call in a manner that Supervisor Evans-Herr perceived to be a hostile threat, Sandy's actions warrant some form of discipline to prevent said actions from reoccurring. I believe counseling is sufficient to accomplish the necessary deterrence. I further recommend that the Township be mindful of Sandy's stated remorse for making the call, and strongly encourage the Township to continue advising Sandy as to the proper methods of communication under the Personnel Policy including the alternate avenues available for her to report harassing behavior.

As for Supervisor Evans-Herr, my opinion is that her use of the Township's email system to disparage a Township employee is without justification and must never be repeated. First, if she is unhappy with a Township employee, her course of action should be to contact the Administrative Liaison in private correspondence or conversation and should otherwise not discuss such criticisms with the employee, the public, or other employees of the Township. Second, using the Township's email system to gossip, to engage in any form of harassment or profanity, or to otherwise misuse or abuse the email system is strictly prohibited. If Supervisor Evans-Herr were herself a Township employee, I would recommend that her employment be immediately terminated given the volume of emails sent and her complete failure to constructively address her various criticisms with Sandy through the appropriate channels. This "behind the back" form of criticism has a negative effect on the workplace environment and should not be allowed to continue. However, as an elected official, Supervisor Evans-Herr is not subject to the same disciplinary policies and procedures identified in the Township's Personnel Policy.

She also may not be removed from office without a public vote or by order of the Court of Common Pleas. As such, I recommend the Township, through its Board of Supervisors, issue a notice of disapproval to Supervisor Evans-Herr stating that her use of the Township's email system to disparage a Township employee would be a violation of the Township's Personnel Policy and is not in any way supported by the Township. I further note the Board of Supervisors has the ability under 53 P.S. § 65607(4) to direct Supervisor Evans-Herr to attend training to address the effect her behavior has on the Township's employees and its workplace environment.

No further recommendations are needed regarding the former Treasurer and former Secretary who also sent inappropriate emails on the Township's email system as they are no longer Township employees.

### **Recommendations for Best Practices Going Forward**

The first recommendation to the Township is that personally and / or professionally derogatory comments about other employees made via the Township's email system should not be condoned in any way. Simply put, there is no valid excuse or justification for making personally derogatory comments about other employees. This problem is further compounded when the derogatory comments are made "behind the target's back" as it deprives the Township's employee of the ability to both defend himself or herself as well as learn from any mistakes previously made. It also destroys the employees' morale. In contrast, constructive criticism that relates to the substantive nature of the employee's performance should be both encouraged and made through the Administrative Liaison. The Administrative Liaison may then address the issue(s) directly with the employee. This allows the employee to know what mistakes have been made, and how they may be improved in the future.

Under the current Personnel Policy adopted by the Township Board of Supervisors, the procedure that should have been followed during the incident – as well as all other incidents involving Township employees – is that Sandy should have reported any problems directly to her Liaison. Sandy did this initially through her email of June 25. It is then the Administrative Liaison's responsibility to return the information reported to the Board as a whole for further action, if needed, and as was done by Supervisor Lehman and through the Board's executive session convened at the end of June of 2015.

The second recommendation to the Township is that it continue to follow its Personnel Policy and utilize the services of an Administrative Liaison for as long as the Township remains without a Manager or Administrator. Throughout the course of this investigation, all employees indicated a fondness of the Township's Administrative Liaison policy for the simple reason that it simplifies their job and allows them to focus on their essential duties. Rather than having to contend with three competing voices and/or supervisors, who as set forth above tend to disagree, the employees are able to get a single answer from a single individual designated by the Board of Supervisors. This promotes both efficiency and cuts back on the possibility of an employee getting

contradictory answers and/or advice. It also shields the employees from the "politics" of the Board. Every employee interviewed indicated a desire to be insulated from the Board's "politics" and outward dysfunction that emanates from every public meeting. The employees further reported that the Administrative Liaison position has helped in this regard, and it is expected to continue to be a benefit to the Township.

Last, I recommend that all Supervisors refrain from attempting to persuade, coerce, or lobby the Township's employees regarding decisions of the Board and / or other matters affecting the Township; and that they attempt to keep their animus towards one another away from the employees. The Township's employees unilaterally expressed their desire to simply perform their jobs. They should be allowed to do so. A Supervisor should never attempt to influence, coerce or even persuade an employee that an action taken by the Board, or the public vote of an individual Supervisor, was wrong or in any way unjustified. Doing so is counterproductive and is not appreciated by the employees. My further assessment is that political arguments beat up on the employees and significantly lessen the morale at the Township. Low morale leads to employee turnover that only increases the Township's costs as well as lessening its overall effectiveness. The Township would benefit greatly from decreases in employee turnover.

By way of final example, and as evidence of the Supervisors' animus permeating the workplace, one of the first impressions of the Township's work environment received by the Township's current Treasurer was hearing Supervisor Evans-Herr calling Supervisor Lehman "a fucking asshole" in the Township's building. This incident occurred on the Treasurer's first day of employment, while she was sitting at her desk, and before all three of the Supervisors had even introduced themselves to her. The incident was reported to me by both Supervisors involved. Similar to my recommendation regarding the use of the Township's email system, I recommend that such behavior not be condoned in any way. To that end, and for as long as the Supervisors are simply unable to communicate in a moderately professional manner, I recommend they limit their communications in front of the employees and outside of the public meetings accordingly.

# Board of Supervisors Mtg.

August 19, 2015

## Sign-In Sheet

~~Rich Harvey~~  
~~Paul Flick~~  
~~Tony Jodel~~  
X

Jayla Johns

~~Jim Tap~~

Bradley R. Shuck

Daniel Shick

Eli Shick

Chris J. Stoltz

~~Lidem Shick~~

Henry K. Beiler

~~Almer J. Stoltz~~

~~Dennis Shick~~

Elaine Jones

Carattines

Jim Rudy

Tim Kuntz