

## BOROUGH OF SLATINGTON

The Re-Organization Meeting of Council was held on Monday, January 2, 2018 at 7:00 P.M. in Council Chambers, 125 S. Walnut Street, Slatington, PA 18080.

\*Note: The following were sworn in and the Oath of Office administered by Magistrate Thomas Creighton prior to the Re-Organization Meeting: Daniel Stevens, Councilor; Jared Kern, Councilor; Russell Hallman, Councilor; Bryon Reed, Councilor; Jason Ruff, Councilor; Walter Niedermeyer, Mayor, and Reta Stein Tax Collector.

Presiding: Mayor Niedermeyer

Reverend Schnaars led the Pledge of Allegiance and the Prayer. Councilor Schnaars informed the council that former Councilor Robert Steets was in the hospital.

Recording Secretary: Bryon Reed

Mayor Niedermeyer called the meeting to order at 7:00 P.M. and requested the Roll be taken.

### ROLL CALL:

#### PRESENT

David Schnaars  
Joseph Wechsler  
Bryon Reed  
Russell Hallman  
Jared Kern  
Daniel Stevens  
Jason Ruff

#### OTHERS PRESENT

Mayor Niedermeyer  
David Rachman

#### VISITORS

Erin Kern      John Hohn  
Jason Nicholas      Thomas Bartholomew  
Robert Herzog, Jr.      Duane Szczesny  
Reta Stein      Jeffrey Hausman  
Alice Wanamaker      Judith Danko  
Ed Ziegler      John Bechtel  
Mel Gildner

### **ELECTION OF COUNCIL OFFICERS**

**Election of President** – Mayor Niedermeyer asked for nominations three (3) times. Councilor Hallman nominated Daniel Stevens for President. Since there were no other nominations for President, Mayor Niedermeyer declared Daniel Stevens as President of Council for 2018/2019.

**Election of Vice-President** – Mayor Niedermeyer called for nominations three (3) times for Vice-President of Council. President Stevens nominated Jason Ruff for Vice President. Since there were no other nominations for Vice-President, Mayor Niedermeyer declared Jason Ruff as Vice-President of Council for 2018/2019.

Mayor Niedermeyer called for nominations three (3) times for President Pro-Tem. President Stevens nominated Bryon Reed. Mayor Niedermeyer called for his election by acclamation. The Mayor declared Bryon Reed President Pro-Tem of Council for 2018/2019.

Mayor Niedermeyer turned over the Chair to President Stevens.

President Stevens announced that all public sessions of Borough Council are electronically recorded and such recordings are maintained as part of the meeting record until the minutes are transcribed and approved by the Board, at which time the recordings shall be erased.

**COURTESY OF THE FLOOR** (Agenda and Non-Agenda Items) (For Agenda/Non-Agenda Items) please use Podium (*three minutes per person/five minutes per group*) You will have three minutes to address Council from the podium. If you reach the three-minute limit, you will be given thirty seconds to conclude your remarks. The three minutes applies to your time at the podium. If you exit the podium, you have yielded the floor and any time you have remaining.

Ed Ziegler - Signed in and was recognized to speak. He suggested to the council Slatington obtain a new garbage collector. Most of the residents are very disappointed with the garbage company. Ed has suggested the council send a letter to make sure all garbage employees are covered under workers' compensation.

Judith Danko - Signed in and was recognized to speak. Judith respectfully asked the council if she could speak at the end of the meeting. Council agreed to 2 minutes of public comments at the end of the meeting.

John Bechtel - 1302 Pin Oak Lane - Signed in and was recognized to speak. He is at the meeting as a resident and a representative from the Chamber of Commerce. John said that the active members of the Chamber of Commerce in Slatington do have a respect for current Borough Manager Judith Danko. Judith has attended monthly board meetings, monthly Merchants Group meeting, involved with the community. The Chamber of Commerce has supported her in her endeavors. John feels that she has done her part in the community. John has spoken to some of the borough crew and they feel that getting rid of her might be a mistake. Having a borough manager for the past year, has shown the community how much a borough manager is needed. He is asking council to possibly consider redoing her contract.

Mel Gildner - Signed in and was recognized to speak. He told council and the taxes payers that Judith Danko has done more in the last year, than he has seen in the last 8 years. He praised her for her fortitude and knowledge. Mel continued to praise Ms. Danko and criticize council.

## **APPOINTMENTS**

President Stevens asked for a motion to appoint the Borough Solicitor. The attorneys from last year had submitted a letter stating they do not wish to be reappointed. Councilor Wechsler made a motion, duly seconded by Councilor Ruff, to appoint Attorney Edward Healy as Borough Solicitor for 2018 for \$85.00 per hour. Council discussed the pros and cons of re-hiring Attorney Edward Healy. President Stevens declared the motion passed following a Roll Call, voting as follows:

<u>ROLL CALL</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Daniel Stevens	David Schnaars	
	Jason Ruff		
	Bryon Reed		
	Russell Hallman		
	Joseph Wechsler		
	Jared Kern		

Councilor Schnaars made a motion, duly seconded by Councilor Ruff, to re-appoint Lehigh Engineering as the Borough Engineer. President Stevens declared the motion passed following a Roll Call, voting as follows:

<u>ROLL CALL</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Daniel Stevens		

Jason Ruff  
Bryon Reed  
Russell Hallman  
David Schnaars  
Joseph Wechsler  
Jared Kern

Councilor Wechsler made a motion, duly seconded by Councilor Schnaars, to re-appoint ARRO for Special Sewer Engineer. President Stevens declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Daniel Stevens	Russell Hallman	
	Jason Ruff		
	Bryon Reed		
	Jared Kern		
	David Schnaars		
	Joseph Wechsler		

Councilor Schnaars made a motion, duly seconded by Councilor Ruff, to re-appoint Jason Nicholas as Slatington Fire Chief. President Stevens declared the motion passed following a Voice Vote, All in Favor.

Councilor Schnaars made a motion, duly seconded by Councilor Reed to re-appoint Broughal & DeVito as Zoning Hearing Board Solicitor. President Stevens declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Daniel Stevens		
	Jason Ruff		
	Bryon Reed		
	Russell Hallman		
	David Schnaars		
	Joseph Wechsler		
	Jared Kern		

Councilor Wechsler made a motion, duly seconded by Councilor Schnaars, to re-appoint David Rachman as Slatington Chief of Police. President Stevens declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Daniel Stevens		
	Jason Ruff		
	Bryon Reed		
	Russell Hallman		
	David Schnaars		
	Joseph Wechsler		
	Jared Kern		

Councilor Schnaars made a motion to re-appoint Judith Danko as borough manager. President Stevens asked 3 times for a second. Councilor Schnaars withdrew the motion if there will be an executive session. To be discussed in executive session.

Councilor Ruff made a motion, duly seconded by Councilor Schnaars to appoint Colleen Bresnak as Assistant Secretary/Assistant Treasurer. President Stevens declared the motion passed following a Roll Call, voting as follows:

<u>ROLL CALL</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Daniel Stevens		
	Jason Ruff		
	Bryon Reed		
	Russell Hallman		
	David Schnaars		
	Joseph Wechsler		
	Jared Kern		

Councilor Schnaars made a motion, duly seconded by Councilor Ruff, to appoint Shannon Callouri zoning officer/building code official/ordinance enforcement officer per CodeMaster agreement. Councilor Wechsler inquired as to the clarity of the contract. The contract is supposed to be for 3 years. Councilor Reed said there isn't a signed, or dated, agreement, just a resolution. Councilor Schnaars withdrew the motion. Councilor Schnaars made a motion, duly seconded by Councilor Ruff to be placed on the Council January 8th agenda.

Councilor Wechsler made a motion, duly seconded by Councilor Ruff, to re-point David Hay as Health Officer (Inspector). President Stevens declared the motion passed following a Roll Call, voting as follows:

<u>ROLL CALL</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Daniel Stevens		
	Jason Ruff		
	Bryon Reed		
	Russell Hallman		
	David Schnaars		
	Joseph Wechsler		
	Jared Kern		

Councilor Schnaars made a motion, duly seconded by Councilor Ruff, to re-appoint Ronald Hausman Emergency Management Director. President Stevens declared the motion passed following a Voice Vote, All in Favor.

Councilor Schnaars made a motion, duly seconded by Councilor Ruff, to appoint ARRO as Sewer Enforcement Officer. President Stevens declared the motion passed following a Voice Vote, 6 ayes, 1 nay Russell Hallman

1. Councilor Schnaars made a motion, duly seconded by Councilor Ruff, to adopt Resolution R-01-18 *a resolution providing for the wages of certain employees of the Borough of Slatington, Lehigh County, Commonwealth of Pennsylvania*. President Stevens declared the motion passed following a Roll Call, voting as follows:

<u>ROLL CALL</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Daniel Stevens		
	Jason Ruff		
	Bryon Reed		
	Russell Hallman		

David Schnaars  
Joseph Wechsler  
Jared Kern

2. Councilor Hallman made a motion, duly seconded by Councilor Reed, to adopt Resolution R-02-18 *a resolution of the Borough of Slatington, Lehigh County, Commonwealth of Pennsylvania, setting the salary for the chief of police for 2018.* President Stevens declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Daniel Stevens Jason Ruff Bryon Reed Russell Hallman David Schnaars Joseph Wechsler Jared Kern		

3. Councilor Schnaars made a motion to adopt Resolution R-03-18 *a resolution appointing the firm of Dimmich, Dinkelacker and Anewalt, P.C. to serve as the delinquent tax collector for Borough of Slatington real estate taxes and re-affirming the fees to be paid for those services.* President Stevens asked 3 times for a second. Motion died due to lack of a second. President Stevens said we have the option of appointing the county to serve as the delinquent tax collector. The county had appointed Northeast Revenue to collect. Councilor Schnaars stated that Dimmich, Dinkelacker and Anewalt, P.C. have been very successful in collecting back taxes with payment plans. Councilor Reed had spoken with the county and they also offer payment plans. Reta Stein asked council who they would be appointing to collect the delinquent per capita tax. She said that Statewide has been doing all these years, but there isn't any mention for them to be re-appointed for the coming year. This resolution and the per capita tax will be placed on the January 8, 2018, agenda.

4. Councilor Schnaars made a motion, duly seconded by Councilor Ruff, to adopt Resolution R-04-18 *a resolution of the Borough of Slatington, Lehigh County, Commonwealth of Pennsylvania, establishing payments into the police pension fund by members for the year 2018.* President Stevens declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Daniel Stevens Jason Ruff Bryon Reed Russell Hallman David Schnaars Joseph Wechsler Jared Kern		

5. Councilor Wechsler made a motion, duly seconded by Councilor Schnaars, to adopt Resolution R-05-18 *a resolution whereas, The Borough of Slatington appoints a CPA as Independent Auditor and; now, therefore to memorialize by resolution the motion of council, adopted on December 11, 2017, be it resolved, by the Council of the Borough of Slatington that Campbell, Rappold & Yurasits is hereby appointed Auditor for FY 2017.*

Council Wechsler withdrew motion, duly seconded by Councilor Schnaars. This is to be placed on the Council January 8th agenda.

6. Adopt Resolution R-06-18 *a resolution of the Council of the Borough of Slatington, Lehigh County, Pennsylvania, establishing Borough fees and charges for the Borough services or for the use of Borough Facilities for Fiscal Year 2018.* President Stevens noted in the fee schedule that the sewer charge was listed at \$80.00, which should be \$107.00. Council agreed to review fees and charges. This is to be placed on the Council January 8th agenda.
7. Councilor Ruff made a motion, duly seconded by Councilor Kern, to appoint Councilor Schnaars as council Chaplin. President Stevens declared the motion passed following a Voice Vote, All in Favor.
8. Councilor Ruff made a motion, duly seconded by Councilor Reed, the APPROVAL OF BOROUGH DEPOSITORIES: Key Bank, Wells Fargo Advisors (CD's), National Penn Investors Trust (Pensions), Huntington National Bank (Bonds) Councilor Schnaars mentioned the fee schedule from Key Bank is costing the Borough approximately \$1000.00 a month. Councilor Ruff asked what would be the problem with using Neff's Bank. Council will look into other banking facilities. President Stevens declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Daniel Stevens		
	Jason Ruff		
	Bryon Reed		
	Russell Hallman		
	David Schnaars		
	Joseph Wechsler		
	Jared Kern		

9. SLATINGTON BOROUGH AUTHORITY APPOINTMENT-No applicants at this time.
10. Councilor Ruff made a motion, duly seconded by Councilor Reed, to appoint Jaime Sillett to the ZONING HEARING BOARD. President Stevens declared the motion passed following a Voice Vote, All in Favor.
11. Councilor Schnaars made a motion, duly seconded by Councilor Ruff to appoint Lisa Fisher to PARKS and RECREATION COMMISSION. President Stevens declared the motion passed following a Voice Vote, All in Favor.
12. Councilor Schnaars made a motion, duly seconded by Councilor Ruff, to appoint Frank Hoffman to the CIVIL SERVICE COMMISSION. President Stevens declared the motion passed following a Voice Vote, All in Favor.
13. Councilor Wechsler made a motion, duly seconded by Councilor Schnaars, to appoint Russell Hallman, Dave Schnaars, and David Rachman to the POLICE PENSION COMMITTEE. President Stevens declared the motion passed following a Voice Vote, 6 ayes, 1 abstention Russell Hallman.

14. Councilor Ruff made a motion, duly seconded by Councilor Schnaars, to appoint Patrice Hunsicker to the UNIFORM CONSTRUCTION CODE (UCC) BOARD OF APPEALS. President Stevens declared the motion passed following a Voice Vote, All in Favor.
15. Councilor Ruff made a motion, duly seconded by Councilor Schnaars, to appoint Wanda Owens the SLATINGTON PUBLIC LIBRARY BOARD. President Stevens declared the motion passed following a Voice Vote, 6 ayes, 1 abstention Russell Hallman
16. Councilor Schnaars stated it was not necessary to appoint anyone to the NORTHERN LEHIGH RECREATION AUTHORITY this year. The appointment is for 5 years and there are 3 members currently.

President Stevens called a recess to Council Chambers so the Committee on Committies could select committee members for 2016/2017. At 8:18 P.M. Councilor Schnaars announced the following committee assignments:

Finance/Planning/Zoning: Russell Hallman-Chair, David Schnaars & Jason Ruff  
 Human/Community Services: Jason Ruff-Chair, David Schnaars & Russell Hallman  
 Public Safety: David Schnaars-Chair, Russell Hallman & Jason Ruff  
 Highway: Jared Kern-Chair, Bryon Reed & Joseph Wechsler  
 Sewer: Joseph Wechsler-Chair, Bryon Reed & Jared Kern  
 Water: Bryon Reed-Chair, Jared Kern & Joseph Wechsler

President Stevens asked council if they wish to split the committee meetings as they had done in the past. Councilor Wechsler made a motion, duly seconded by Councilor Hallman, to have 2 separate meetings: W/S/H committee meeting on the 3rd Monday of every month and F/PS/H on the 4th Monday of each month at 6:30. President Stevens declared the motion passed following a Voice Vote, All in Favor.

Councilor Schnaars made a motion, duly seconded by Councilor Wechsler, to advertise the revised meeting schedule. President Stevens declared the motion passed following a Voice Vote, All in Favor.

EXECUTIVE SESSION – President Stevens recessed the Re-Organization Meeting at 8:23 and called for an Executive Session. At 9:08 P.M. he reconvened the Regular Meeting. In executive session matters of personnel were discussed.

Councilor Schnaars made a motion to re-appoint Judith Danko as borough manager. President Stevens as 3 times for a second. Motion died due to lack of a second.

OTHER BUSINESS: None

**COURTESY OF THE FLOOR** (for agenda items only)

Ed Ziegler - Ed feels the Borough of Slatington meetings are not held properly. He said that when ever there is a motion on the floor council is to ask for public comment, which is not practiced here.

Judith Danko - Judith asked the current council if they would be able to go into a room with her and discuss her contract. She knows a vote has been taken, but is asking if this is an option. President Stevens said no. At this time, Judith stated that she is due her severance. She is respectfully asking the council to make a motion to authorize a payment of her severance pay per her contract. Ms. Danko said her contract states there is a 30-day notice period and at that time she is due her severance. President Stevens said, respectfully, that this should be discussed with the borough's attorney. Judith asked council if they would be open to her paying for her medical insurance through the Borough until she could obtain her own medical insurance. She said the payments for January have already been made because they are paid 1 month in advance. She would like to know if she can pay for February. She is not sure if the Borough has COBRA. If there is no COBRA, Judith would like to pay the Borough for her insurance and get her own insurance as quickly as possible. President Stevens said he isn't sure if this could be done and they will check into it. She thanked the people she has worked with. It has been a year of getting a lot of items accomplished. Judith handed in her Borough keys to President Stevens. She also has a remote access to her personal laptop that she would use to work from home. She is requesting Council to have Keystone IT terminate that remote and to inform her when this occurs. She requested this be notated in the minutes. President Stevens said he will contact Keystone IT tomorrow, 1/9/18, to have it removed. President Stevens asked her if she had any personal effects in the office. Councilor Schnaars suggested to President Stevens that he and Judith meet in the office to check everything out and sign the paper that she handed everything over. She feels that she has all of her things out of the office. She said that she has copies of at least 8 sets of minutes that state that she did a very good job this past year. Judith would appreciate nothing but the best in a reference for herself. She would appreciate everyone to abide by that. She said that is imperative, especially with the in-fighting that she has seen this past year with council members. She requested this be notated in the minutes. Judith was very disappointed that no one gave her a chance to come and speak with them.

Councilor Schnaars personally thanked Judith for all the hard work and hours that she had put into the Borough. He also stated the employee's moral had gone way up this past year.

Councilor Schnaars made a motion, duly seconded by Councilor Reed, to adjourn the meeting. Being no further business, President Stevens adjourned the meeting at 9:20 P.M.

Colleen Bresnak  
Assistant Borough Secretary