

The Monthly meeting of the Lansford Borough Council for the appointment of Tax Collector and the Palace demolition purposes was held at the above date and place at 6:00pm. The meeting was called to order by President Martin Ditsky and the Pledge of Allegiance was recited. There were 8 Residents and 1 reporter.

ROLL CALL

Secretary Treasurer Mary Fittos took roll call. Those present were: Martin Ditsky, Rose Mary Cannon, Matthew Walsh, Joe Butrie, Jared Soto, Colin Jones, John Turcmanovich and Solicitor Michael Greek. Mayor James Romankow was absent.

PUBLIC COURTESY

Tommy Vadyak, 334 West Abbott St, mentioned that at the last meeting, council approved a dumping of debris from the Palace to our landfill, but he said council doesn't know what part of the land is owned by the Borough. He said you can't just dump there as it's not the Borough's property. He said a few years ago a building in Summit Hill was torn down and dumped at the Landfill and the coal company went to the police to file a complaint and have them arrested. He said council should have tabled it to have DEP inspect the building. He said the \$5,000 donation will not cover the expense if that fill has to be removed from the landfill because the contractor will not do it. He also said this gentleman that is tearing it down has not applied for a demolition permit yet. He said it should be tabled and thought about as it's not a benefit to the people of Lansford.

Don Gildea, 107 West Kline Ave was looking at advertisement for the Tax Collector. He said he thinks there are certain hours and days that go with the job as well as the location. He said it seems like council is trying to establish the hours and days.

Ms. Cannon responded to Mr. Gildea and said the advertisement requested that the candidates should suggest the hours and days that they would like to work. She said council is not establishing anything and doesn't believe its set.

Mr. Ditsky said this is a full- time position, he said its not part- time for two years and then the people will elect the next tax collector. Ms. Cannon said it's a full time position but it doesn't have to be every day.

Mr. Gildea said there are certain criteria that the Tax Collector has to abide by. Mr. Ditsky said he doesn't think so and moved on.

Mr. Gildea asked if Mr. Wynn recommended anyone to take his position. Ms. Cannon and Mr. Ditsky said no, not to full council. Mr. Jones said Mr. Wynn did not mention anything to him and Mr. Ditsky said Mr. Wynn gave him a recommendation, Mr. Jones told Mr. Ditsky that he does not count as full council.

Mr. Walsh said that he went through all of the letters of interest and 1 full packet and he said there is just 1- 2 people applying for this position that are qualified who's hours that are semi- conducive which is very important to him. Someone whose hours that are similar to Mr. Wynn's and service that is provided on a regular basis.

NEW BUSINESS

- Tax Collector Appointment- Establish hours, days and location. Mr. Ditsky said everyone should have all the letters of interest reviewed. Mr. Ditsky read all the candidates' names as follows: Charles Gallagher, Nicholas J. Vavro, Terrance McCall, Donna Valent, Barbara A. Richardson, Joel D. Marushak and Shawn Coll. Mr. Walsh said there maybe 2-3 resumes submitted, but only 1 can really be qualified as full resume.

Ms. Cannon said we didn't ask for resumes only letters of interest. Mr. Walsh said If someone is going to go above and beyond that shows character and he feels only one can be considered a full application complete with a cover sheet, suggested hours, resume and letters of recommendation from some pretty important people. Mr. Walsh asked council to take this into account when choosing who we provide this position to. Ms. Cannon asked if he was making a motion and Mr. Walsh said he would let discussion occur but no one had any discussion.

Mr. Turcmanovich asked if there was going to be any interviews. Ms. Cannon said unfortunately there is a time constraint due to the fact that the carbon county tax assessment board is printing bills and needs the new tax collectors information by Monday morning. She also said on this agenda we should be accepting the resignation of Mr. Wynn and that needs to be done first before appointing a new tax collector.

Mr. Ditsky said that is partially true but the tax office in Jim Thorpe is going to be printing the bills on the 10th or 11th. He said that is why the time frame is very short; we have to appoint someone now.

Colin Jones makes the motion to accept the resignation of Mr. Wynn. Seconded: Rose Mary Cannon vote. All in favor, motion passes.

Matthew Walsh makes the motion to appoint Donna Valent as Tax Collector effective immediately. Seconded: Jared Soto vote. Discussion: Mr. Walsh said Ms. Valent is prepared to use the office here with the increased rent and also has a commercial structure that is already handicapped accessible should she have to use her own private residence. **Roll Call: Matthew Walsh= yes, John Turcmanovich= Abstained, Joseph Butrie = Abstained, Colin Jones =no, Martin Ditsky= yes, Rose Mary Cannon= no, Jared Soto= yes. (3) Yes, (4) no. Motion Failed.**

Mr. Greek said the abstention has to be due to a conflict of interest such as a financial interest or immediate family. He said that is what the law requires. Mr. Soto asked if their conditions by which they abstained fall under what Mr. Greek said. Mr. Greek said the ethics code does not have to specify, usually you have to have a memorandum as to what your conflict of interest is. Mrs. Fittos said it's a direct relative such as a mother, father, sibling or spouse; otherwise you can just be opposed. Mr. Soto asked those that abstained, if they thought they fit that criteria.

Mr. Turcmanovich said Donna Valent is his sister – in – law. Mr. Butrie said Donna Valent has been a longtime friend. Mr. Cannon said abstaining is not a yes vote. Mr. Greek said it would be a no.

Mr. Walsh asked if we can do another roll call.

2nd Roll Call Vote: Matthew Walsh= Yes, John Turcmanovich= Abstained, Joseph Butrie = No, Colin Jones = No, Martin Ditsky = Yes, Rose Mary Cannon= No, Jared Soto= Yes. Results were the same. Mr. Greek said It's a tie of 3-3 with one abstained and the Mayor has 10 days to break the tie. Mr. Greek said you can take another vote. Mr. Ditsky said we need to have the appointment by Monday morning.

Mr. Walsh asked if the Mayor isn't present is there anyone else who can break the tie. Mr. Ditsky said only the Mayor. Mr. Walsh asked about the vacancy board. Ms. Cannon said no.

Mr. Soto said for the purpose of this meeting and to have this done by Monday we would have to vote for someone else. Mr. Greek said yes.

Mr. Jones makes the motion to appoint Terrance McCall. Seconded: Rose Mary Cannon vote. Roll Call Vote: Matthew Walsh = No, John Turcmanovich= No, Joe Butrie = Yes, Colin Jones = Yes, Martin Ditsky= No Rose Mary Cannon= Yes, Jared Soto= Yes. (4) Yes (3) No. Motion passes.

Mr. Walsh asked if the Mayor has to break the tie at a public council meeting and Ms. Cannon said no. He asked why this couldn't just be brought up to him to give him a chance to break it. Mr. Greek said not if council takes another course of action and makes another motion. Mr. Walsh said at the PSAB training they said you can call in to a meeting. Mrs. Fittos said he would have had to be on the phone throughout the whole meeting and on speaker.

Ms. Cannon said we can talk about the office at the next meeting. Mr. Ditsky said someone will have to inform Mr. McCall and give his information to Tax Assessment office

Matthew Walsh makes the motion to increase the rent of the Tax Collector office to \$200/month. Seconded: John Turcmanovich vote. Discussion: Ms. Cannon said she discussed this at her Municipal Administration meeting and that her committee thought \$150 would be the recommendation from her committee as it was \$125/month. She also said that there are other recommendations; she asked to receive quotes on getting a light switch in that tax office as well so power can be controlled from that office not the main switch box. Ms. Cannon also said the tax office door that leads to Borough office should be locked at closing of day for security purposes. So when the Borough office is closed at 4:30pm the tax office door would be locked between the two offices so no one has access to the building when Borough employees are not here. She said we didn't have any security in place with it being open in prior years. Mr. Soto said it is not targeting Mr. Wynn; it's just a security issue. **Opposed: Colin Jones. Motion Passes.**

Mr. Jones said your charging rent of \$200 and they don't have access to a bathroom. Ms. Cannon said he will have access during the Borough's hours.

- Palace Construction- Landfill- Mr. Ditsky said he spoke to a member of DEP and they said until there is a demolition permit they will not go into the building. Ms. Cannon said DEP did call the office and was forwarded to Mr. Bennett. Mr. Ditsky was unaware that they called. Ms. Cannon said we need to be at the building when DEP comes to be sure that what Mr. Bennett is saying is true. She said Mr. Bennett said he will have all the necessary permits when they start. Ms. Cannon said she thinks we were wrong getting involved with this. She is happy that the project is something that will benefit the town but also using that area for dumping is opening a can of worms because who else is going to want to use the land. She thinks the \$5,000 was a nice gesture but would we have received it otherwise. She said in the employee handbook it says "Lansford Borough Employees and Officers are not allowed to receive gifts or gratuities in any personal or professional capacity that could even create the impression that the giver was seeking favor or trying to influence an opinion or judgement from the employee or official".

Mr. Ditsky asked when the employee handbook was handed out. Ms. Cannon said Mrs. Fittos sent it out weeks ago for review. Ms. Cannon said she is not in favor of the allowing them to dump at the landfill. It looks like we are collecting money as a bribe.

She was looking at software that Jill has called "Mapping" and it shows that we own 21.7 acres, but we need to verify and get it surveyed.

Mr. Ditsky mentioned getting aerial view. He said Toll Brothers put two gates down there, a yellow one and a blue one. Mr. Greek said he went to the recorder of deeds and the paper work shows the Borough owns 11.33 acres. He said we don't know our border and everyone seems to have different numbers. He recommended getting Mr. Kafkalas to survey the property. He said as of right now we don't know how much is owned by the Borough, we need the deed description and a survey.

Ms. Cannon said she doesn't want this to turn into a commercial enterprise and get into the dumping business. Mr. Walsh said that is why he mentioned this at the last meeting on having an ordinance or something in place that this should have been done.

Lenny Kovach, Lansford resident said that years ago that landfill was made for any resident. Any resident of Lansford could dump clean fill there. He also said the Borough doesn't own it, we were given permission to use it and that is why the gate was installed. Mr. Kovach said that clean fill can be dumped anywhere as long as a conservation officer deems in clean. He said Mr. Bennett is aware of the process with DEP; they have a 10 day notice. Mr. Kovach said the Borough cannot stop him from cleaning out the building. This discussion went on for about 10 minutes.

Mr. Soto said council should decide if we are going to do this so this is a one and done. The conversation continued for another 10 minutes.

Ms. Cannon made the motion to table this.

Mr. Ditsky asked for a brief recess at 6:41pm.

EXECUTIVE SESSION

Council entered into executive session at 6:45pm for litigation purposes and exited at 6:59pm.

ADJOURNMENT

Joe Butrie makes the motion to adjourn at 7:00pm. Seconded: Martin Ditsky vote. All in favor, motion carries.

Respectfully submitted,

Mary Fittos

Secretary/Treasurer