

Monthly Meeting Minutes

January 14th, 2026

The January 14th, 2026 Monthly Meeting was called to order at 6:03p.m. by President George Gilbert at The Lansford Borough Town Hall, 1 West Ridge Street, Lansford, Pennsylvania. The meeting was attended by Council Member Joseph Butrie, Council Member Gwyneth Collevchio, President George Gilbert, Vice-President Joseph Genits, Bruce Markovich, Council Member Jack Soberick, Mayor Denise Leibensperger, and Solicitor Robert Yurchak.

President Pro Tempore Michele Bartek arrived at the meeting at 6:05p.m.

Pledge of allegiance was recited.

Public Courtesy-

- P1. Tommy Vadyak of 334 West Abbott Street spoke about multiple items pertaining to the borough.
- P2. Rosemary Cannon of 242 West Ridge Street spoke about Coal Street having been a one way at one time and that it was then changed back.
- P3. Council Member Joseph Butrie thanked the fire company for helping with a sewer problem on West Water Street.
- P4. Christopher Ondrus of 10 Edgemont Road spoke about the Powell Street agenda motion item and that he feels the whole project should be investigated by the council.
- P5. Greg White of 112 West Ridge Street spoke about how Annette Whites handicap parking space was approved and paid for but has not been installed yet despite being paid for back in October of 2025.
- P6. Council Member Gwyneth Collevchio thanked Joseph Butrie and the public works department for their help with taking the Christmas trees from Kennedy Park to the environmental center.
- P7. Mayor Denise Leibensperger spoke about the police department doors and thanked Attorney Yurchak and President George Gilbert for their assistance in expediting the repairs to the police department doors.

P8. Erin Soberick of 237 West Ridge Street questioned the mayor with reference to the collection of money from meters.

Approval of Meeting Minutes-

Motion to approve the November 10th, 2025 Budget Meeting Minutes-

Motioned by Michele Bartek and seconded by Gwyneth Collevchio.

Joseph Genits abstained due to not having been on council during meeting.

Motion passed by majority vote.

Motion to approve the November 19th, 2025 Budget Meeting Minutes-

Motioned by Joseph Butrie and seconded by Gwyneth Collevchio.

Joseph Genits abstained due to not having been on council during meeting.

Motion passed by majority vote.

Motion to approve the December 10th, 2025 Monthly Meeting Minutes-

Motioned by Gwyneth Collevchio and seconded by George Gilbert.

Joseph Genits abstained due to not having been on council during meeting.

Motion passed by majority vote.

Motion to approve the December 15th, 2025 Special Meeting Minutes-

Motioned by Gwyneth Collevchio and seconded by Jack Soberick.

Joseph Genits abstained due to not having been on council during meeting.

Motion passed by majority vote.

Motion to approve the December 20th, 2025 Special Meeting Minutes-

Motioned by Jack Soberick and seconded by Joseph Butrie.

Joseph Genits abstained due to not having been on council during meeting.

Motion passed by majority vote.

Motion to approve the December 31st, 2025 Special Meeting Minutes-

Motioned by Gwyneth Collevchio and seconded by Michele Bartek.

Joseph Genits abstained due to not having been on council during meeting.

Motion passed unanimously.

Correspondence-

C1. Resignation Letter from Civil Service Commission Member Kara S Krajnak

George Gilbert read aloud Kara Krajnak’s resignation letter, “Dear members of the Lansford Civil Service Commission and members of Lansford Borough Council, Please accept this letter as formal notice of my resignation from the Lansford Civil Service Commission, effective immediately. I accepted this position with the sincere intention of helping my community and becoming more involved in the town where I lived my entire life. I was hopeful that I could contribute positively and serve with integrity. However, due to defamatory postings directed toward me on social media-prior to being given the opportunity to serve or demonstrate my commitment- I have decided that it is in my best interest to step away from this role. As a school teacher, my priority is to maintain professionalism and focus on my responsibilities as an educator. Public statements and online attacks that misrepresent my character are counterproductive to my work in education and compromise my ability to serve effectively in both capacities. This decision was not made lightly. I value public service and community involvement, but under the current circumstances, continuing in this role is no longer appropriate. I appreciate the opportunity that was extended to me and wish the commission and the Borough of Lansford continued success. Sincerely, Kara Krajnak”

Motioned to accept resignation by Joseph Butrie and seconded by Joseph Genits.

Motion passed unanimously.

C2. Resignation Letter from Civil Service Commission Member Thomas L Dahl

George Gilbert read aloud Thomas Dahl’s resignation letter, “To the members of Lansford Borough Council, I am writing to let you know that I am resigning from my

position on the Lansford Civil Service Commission. Effective today January 6, 2026.

Thank you for the opportunity to serve on the Civil Service Commission. Best regards,
Thomas Dahl.”

Motioned to accept resignation by Joseph Butrie and seconded by Joseph Genits.

Motion passed unanimously.

- C3. Letter from Carbon County Chamber and Economic Development requesting a letter of support from the Lansford Borough regarding a DCNR Peer Grant for the 911 Memorial Trail

Motioned by Gwyneth Collevchio and seconded by Jack Soberick.

Motion passed unanimously.

- C4. Email from Eric James Filer requesting that the borough have a representative for a Microsoft teams meeting with the DEP on Thursday 1/15/2026 at 2:30p.m.

Jack Soberick spoke about the meeting that occurred between Coaldale, Summit Hill, Lansford Borough, and the Sewer Authority in regards for a sewer project the sewer authority is attempting to undertake a project for the sewer plant to address two separate issues one being infiltration of water that is getting into the system due to bad pipes and the other being inflow from rainwater coming into the system. The sewer authority was awarded a grant for the project which was awarded but does not cover the full project cost, thus each municipality is required to contribute their portion of funds in the amount of \$350,000.00 each to cover the grant match and the sewer authority contributing \$350,000.00.

Joseph Genits volunteered along with Joseph Butrie to attend the January 15th, 2026 Microsoft team meeting by DEP with Coaldale Summit Hill Lansford Sewer Authority.

- C5. Letter to council from Coaldale-Lansford-Summit Hill Sewer Authority about the H2O Grant

The letter from the Sewer Authority provided a payment breakdown of the \$350,00.00 which will be \$50,000 on or before April 30th, 2026, \$100,000 on or before September

30th, 2026, \$100,000 on or before September 30th, 2027, and \$1000,000 on or before September 30th, 2028, that the Lansford Borough will have to pay the sewer authority for the sewer project that is mentioned in the previous motion.

Motioned to adopt a binding resolution to be voted upon tonight as approved but being prepared by the solicitor to then be submitted to the Sewer Authority by Joseph Genits and seconded by Michele Bartek.

A roll call vote was called.

Motion favored by Michele Bartek, Joseph Butrie, Gwyneth Collevchio, George Gilbert, and Joseph Genits.

Motion opposed by Bruce Markovich and Jack Soberick.

Motion passed by majority vote.

C6. Email from Joy Beers requesting information on who will be managing the train station work and grant

The management of the train station work, and grant must be managed by the Council President. Council agreed with having the Council President George Gilbert manage the train station work and grant.

Committee Reports-

Motioned to accept public works report by Gwyneth Collevchio and seconded by Michele Bartek.

Motion passed unanimously.

George Gilbert spoke aloud. "Revenue through 01/14/2026. 1st quarter 01/01/2026-03/31/2026 sanitation billing 1,834 customers billed, 225 customers collected, customers not collected 1,609. Sewer Transmission billing 2026, 1,915 customers billed, 119 customers collected, customers not collected 1,796."

Municipal Monthly Reports-

Motioned to approve the municipal monthly reports by Jack Soberick and seconded by Joseph Butrie.

Motion passed unanimously.

Fire Department Report-

The fire department had 15 calls for the month of December. Total man- hours were 148.75, total man hours year to date were 1,195. In house work total man hours were 72 for the month, total man hours year to date were 1,803. The responses year to date 109, Summit Hill year to date 30, Coaldale year to date 35, Nesquehoning year to date 12, Tamaqua year to date 3, and Jim Thorpe year to date 10, other year to date 4. Training total man hours were 59, year to date 1,574. Community service total man hours were 256, year to date 479. Fundraising total man hours were 1,323 hours year to date. Administrative hours total man hours 80, year to date 960. Total hours of all activities for report period were 84.75, year to date 1,205.5. Total man hours for the month were 645.75, year to date 7,334.

Ambulance Report-

The Lehigh ambulance responses were 57 incidents in December 2025. They had an average response time of 9.2 minutes from time of dispatch until arrival on scene. Of the 57 responses, 29 were non-emergency patient services, 28 were emergency responses. 46 patients were transported, 5 patients were treated with no transport, 0 standby and 6 cancellations/no patient found (cancellation, no patient found or services not needed).

Mayor's Report

The mayor reported that collection of money from meters was done using a portable locked container, which is then taken directly to Jim Thorpe National Bank For bank staff to open and process the amount collected.

Police Report-

The police department had 304 calls and complaints handled, 14 new cases cleared, 12 arrests made, 3 traffic contacts, 146 parking tickets issued/borough ordinance violations

issued, 1,259 miles patrolled, \$2,250 collected in parking, quality of life, and report requests.

Mayor Denise Leibensperger acknowledged Officer in Charge Shawn Nunemacher for 71 snow removal, 1 posted no parking, Officer Garcia 67 snow removal, 2 expired inspections, 1 posted no parking, and Officer Barclay 4 posted no parking.

Code Report and Zoning Report-

December Monthly Report: Rental Inspections completed 26. Code complaints 24, code complaints resolved 15, 6 citations being filed as a result of code violations, 10 citations paid at magistrate (guilty plea). Addresses being cited; 344 West Kline, 298 West Snyder Avenue, 41 East Ridge Street, 352 West Snyder Avenue, 230 West Bertsch Street, and 239 East Ridge Street. Notice of violations issued 6, 6 upcoming hearings at magistrate, and 26 rental inspections.

Residential Rental Ordinance Report-

2026 Applications & information for the RRL Ordinance are being mailed to landlords by February 1st.

Solicitors' Report-

Robert Yuchak asked council to ratify the oversized vehicle ordinance advertisement. To ratify the oversized vehicle ordinance advertisement motion by Jack Soberick and seconded by George Gilbert. Motion passed unanimously.

Tax Collector's Report-

From December 1st, 2025 to December 31st, 2025, taxes collected were \$41,850.86

Bills & Expenditures Through 01/14/2026	
Accounts	Total Expenditures
Fire Tax	\$ 6,343.25
Delinquent Real Estate Tax Acct.	\$ 2,850.82

Diversified	\$ 5,067.50
General Fund	\$ 77,590.33
Highway – Liquid Fuels	\$ 1,074.91
Park & Recreation	\$ 863.87
Sanitation	\$ 61,510.86
Sewer Transmission	\$ 1,424.38
Streetlight	\$ 5,650.32
Total	\$162,376.24

Treasurer's Report-Bills to Approve-

Motion to pay the January 14th, 2026 bills-

Motioned by Gwyneth Collevchio and seconded by Michele Bartek.

Motion passed unanimously.

Motion to accept to use Brian Kelly CPA for the 2025 Annual Borough Audit.

Motioned by Joseph Butrie and seconded by Michele Bartek.

Motion was opposed by Bruce Markovich.

Motion passed by majority.

CD's & Bank Balances

Account Title	No.	12/31/2025	11/30/2025
Railroad 9 Month CD	XX6101	\$ 599,230.97	\$ 597,318.41
2nd Railroad Proceeds 9 Month CD	XX8363	\$ 32,779.77	\$ 32,674.23
Pool 9 Month CD	XX6325	\$ 44,131.89	\$ 43,991.03
Sani-Investors CD	XX8587	\$ 55,013.94	\$ 54,830.92
Sewer-Investors CD	XX8595	\$ 58,120.35	\$ 57,927.00
2nd Sewer Proceeds 9Month CD	XX8371	\$ 55,750.69	\$ 55,571.19
Sewer 9 Month CD	XX1277	\$ 55,563.14	\$ 55,385.80

Account Title	No.	12/31/2025	11/30/2025
Fire	XX6371	\$25,252.07	\$ 24,617.46
General Fund	XX6496	\$728,339.13	\$ 839,259.86
ARPA Grant Account	XX2153	\$9,994.77	\$ 9,969.16

Building Developing Capital Fund	XX9105	\$30,767.45	\$ 30,688.63
Delq. Tax	XX8929	\$423,634.17	\$ 409,106.38
Diversified	XX8448	\$9,097.18	\$ 14,372.27
Fire Escrow - 22 E. Kline	XX6488	\$ 3,000.00	\$ 3,000.00
Fire Escrow- 241 E Ridge St	XX9949	\$ 36,790.47	\$ 36,790.47
Fire Escrow- 243 E Ridge St	XX9931	\$ 29,067.09	\$ 29,067.09
Fire Escrow- 245 E Abbott St	XX7133	\$ 29,605.04	\$ 29,605.04
Fire Escrow- 334 E. Bertsch St.	XX6094	\$ 4,522.89	\$ 4,522.89
Fire Escrow - 268 E. Patterson St.	XX7013	\$ 9,863.51	\$ 9,863.51
Fire Escrow - 292 E. Snyder Ave	XX7373	\$ 8,900.22	\$ 8,900.22
Fire Escrow - 504 E Kline	XX6119	\$ 31,346.65	\$ 31,346.65
Grant Project	XX5616	\$ 15,669.60	\$ 15,629.46
Local Services Tax	XX6462	\$ 63,099.36	\$ 62,822.36
Park & Recreation	XX6404	\$ 50,348.87	\$ 54,011.41
Sanitation Fund	XX6438	\$ 447,547.74	\$ 472,136.62
Sanitation fund MMA	XX6454	\$14,872.21	\$ 14,834.11
Sewer Transmission	XX6446	\$ 540,466.98	\$ 540,765.02
Snyder Street Checking	XX6470	\$ 34,180.46	\$ 34,092.89
Highway Liquid Fuels	XX6420	\$ 116,284.49	\$ 116,490.18
Streetlights	XX6412	\$48,278.45	\$ 56,931.81
Total		\$2,710,928.80	\$2,848,823.49

Old Business:

Status report on list of grants found on the January 5th Special Meeting Agenda that were tabled.- request by Joseph Genits

Bruce Markovich spoke about the grants and that a grant administrator needs to be appointed to complete the grants.

Motion to have the Borough Solicitor review the grants that the borough has applied for by Joseph Genits and seconded by Joseph Butrie.

Motion passed unanimously.

Discussion on tabled request for a business parking space by the American Cancer Society.- request by Joseph Genits

Motioned to approve the parking space to the American Cancer Society at the current fee rate the borough charges for a parking space by Gwyneth Collevchio and seconded by Joseph Butrie.

Motion passed unanimously.

Discussion on former borough garage (parcel #123A) and vacant lot (parcel # 123A-24-J37.14) located on Spring Street whereby NO MINIMUM BIDS, as advertised, were previously received in December 2025. Recommendation to advertise as follows:-request by Joseph Genits

Council discussed that previously the parcels had been advertised but no bids had been received.

Council agreed to readvertise the two parcels for sale with no minimum bid for either parcel.

Motioned to readvertise the former borough garage and vacant lot located on Spring Street for sale with no minimum bid for both parcels by Joseph Genits and seconded by Joseph Butrie.

Motion passed unanimously.

Discussion about scheduling the annual AUDIT by the existing company or making a change, if preferred. Review a list of firms (3) to request quotes for estimated costs for a forensic audit. - request by Joseph Genits

The 2025 Annual Borough Audit was addressed earlier in the meeting when council voted to use Brian Kelly CPA for the 2025 Annual Borough Audit.

New Business:

A. Discussion on Handicapped Doors on Borough Hall.-request by George Gilbert

Bruce Markovich spoke about how in about a year or so the borough should be receiving money from a Community Development Grant for the handicap doors.

B. Look into an Agreement with Tamaqua Borough for Emergency Services for Sewer Vector rental. request by George Gilbert

George Gilbert spoke about the importance of looking into an agreement for emergencies that require a sewer vector and that it would be beneficial to the borough.

- C. Discussion on Committee Meetings and requests on changes to how they are handled. request by George Gilbert

Council discussed not having the secretary present for workshop/committee meetings and that the committee chairperson would take notes for reporting to the council body.

- D. Motion to approve the following handicap parking requests:

- a. Ibania Alerto at 338 East Bertsch Street
- b. Denice Danubio at 427 East Ridge Street
- c. Crystal Cupak at 631 East Patterson Street
- d. Eileen Royer at 327 West Ridge Street

Motioned to table all handicap parking request by Jack Soberick and seconded by Joseph Butrie.

Motion passed unanimously.

- E. Motion to approve a resolution for the Lansford Borough Uniform Construction Code (UCC) Fee Schedule.

Motioned by Gwyneth Collevchio and seconded by Joseph Genits.

Motion passed unanimously.

- F. Motion to approve to send the 2025 uncollected borough delinquent taxes to Portnoff Law. 405 delinquents to date.

Motioned to table by Joseph Genits and seconded by Joseph Butrie.

Motion was opposed by Gwyneth Collevchio.

Motion passed by majority.

Motions to Approve

- A. Statement by Bruce Markovich: In order to ensure transparency and full disclosure on behalf of taxpayers of the Borough of Lansford, I am requesting that the following items be posted to Lansford Borough Website and incorporated into the minutes, as attachments to the January 14th 2026 Lansford Borough Council Meeting

1. The full and complete transcript of the Labor Relations Board Decision and Order (PF-C-24-104-E) Dated December 18th 2025 provided by Atty Jack E Marino, Hearing Examiner for the Commonwealth of Pennsylvania, Pennsylvania Labor Relation Board. Titled Fraternal Order of Police, Schuylkill Carbon Lodge No 13 vs Lansford Borough.
2. A copy of the invoice from Attorney Robert Yurchack to the Borough of Lansford, showing the costs to be paid from the borough of Lansford to Atty Yurchak for defense of this case.
3. A compiled list of the costs incurred by the borough of Lansford to comply with subpoena's issued by the Fraternal Order of police for any and all borough employees to attend this hearing-requested by Bruce Markovich

Motioned by Bruce Markovich and seconded by Michele Bartek.

Roll Call vote was called.

Motion favored by Bruce Markovich, Michele Bartek, Gwyneth Collevechio George Gilbert, and Joseph Butrie.

Motion opposed by Jack Soberick and seconded by Joseph Genits.

Motion passed by majority vote.

- B. Statement by Bruce Markovich: In order to insure transparency and full disclosure on behalf of the taxpayers of the Borough of Lansford, I am requesting that a full complete listing of all costs incurred by and to be paid by the borough of Lansford for the for cancellation of the Powel Street Sewer Project be compiled and posted on the Boroughs Website. These costs to Include the amount paid to Doli Corporation, (\$22,000) Arro Engineering, (\$8,100.00) Dick and Ellen Sarge (\$5,000) Return of Federal Covid Funds (\$25,000).-Request by Bruce Markovich

The cost of a pipe that was purchased for the project to be included in the above motion.

Motioned by Bruce Markovich and seconded by Joseph Butrie.

Motion passed unanimously.

- C. Motion to Censure Councilman Butrie for his actions dealing with the ongoing contract deliberations between the Borough of Lansford and the Teamsters Union representing the borough public works department. Butrie forwarded a document to the union representative

containing a large number of false and misleading provisions. Butrie further Indicated to the union that these false and misleading provisions had been approved by Borough Council. Butrie's actions resulted in the union voting on and accepting these false provisions. Butrie's actions are a clear violation of Good Faith Provisions of Labor Law.-request by Bruce Markovich

Motioned by Bruce Markovich and seconded by Michele Bartek.

Roll Call vote was called.

Motion favored by Bruce Markovich, Michele Bartek, and Gwyneth Collevchio.

Motion opposed by Joseph Butrie, George Gilbert, Joseph Genits, and Jack Soberick.

Motion did not pass due to majority opposition.

- D. Motion to approve the 2026 Spring Town clean up dates of Saturday April 25th, 2026 for the East Side of Town and Saturday May 2nd, 2026 for the West Side of Town.

Motioned by Gwyneth Collevchio and seconded by Jack Soberick.

Motion passed unanimously.

- E. Motion to appoint to the Lansford-Coaldale Joint Water Authority either Robert Greenall, Ryan Eidle, Nicholas J Vavro, Donna Valent, Zachary Gilbert, John Arner, or Lenny Kovatch.

Motioned to appoint Lenny Kovatch to the Lansford-Coaldale Joint Water Authority by Joseph Genits and seconded by Jack Soberick.

Motion passed unanimously.

- F. Motion to appoint Jennifer Staines to the Planning Commission

Motioned by Joseph Butrie and seconded by Joseph Genits.

Motion passed unanimously.

- G. Motion to appoint either Joseph Genits, Michele Bartek, or Joseph Butrie to the Police Pension Board.

Motioned to appoint Joseph Genits to the Police Pension Board by Jack Soberick and seconded by George Gilbert.

Motion was opposed by Michele Bartek.

Motion passed by majority.

- H. Motion to set up a meeting with the American Fire Company to discuss funding-request by George Gilbert

Council agreed to have Michele Bartek and Jack Soberick meet with the fire company.

- I. Replace funds from Liquid Fuels from Zipper sale. request by George Gilbert

Council agreed that the funds from the sale of the Zipper must be replaced into the Liquid Fuels Fund, in the amount of \$50,000.00.

- J. Need to have Edgemont bridge property surveyed to see who owns what-request by Joseph Butrie

Bruce Markovich stated that the property had been surveyed and that 60% is owned by the railroad and 40% by the borough.

- K. Motion to approve the purchase of a high pressure washer able to use both hot and cold water in the amount of \$1,510.00.-request by Joseph Butrie

Motioned by Joseph Butrie and seconded by Michele Bartek.

Motion passed unanimously.

- L. Update report on demolition of properties located at 151 & 151-½ W Ridge St. -request by Joseph Genits

Joseph Genits said that to his knowledge the job is completed.

Motioned to contact Arro Consulting to reinspect the completion of the job by Joseph Genits and seconded by Joseph Butrie.

Motion passed unanimously.

- M. Update report on demolition of property located at 118 West Ridge St. (Lack of demolition permit obtained by property owner) -request by Joseph Genits

Joseph Genits spoke about 118 West Ridge Street and stated that a demolition permit is still needed for the work. Arro Engineering is to follow up to ensure compliance by the owner.

N. Discuss scheduling an “Executive Session of Council “ for the purpose of Touring properties owned by the Borough for the purpose of familiarization, Needs assessment for each, planning requirements to sell or upgrade, security issues, maintenance & repair issues:

-former Silberline parcels located on Dock Street to view the buildings outside & inside each building, including the land area, security fencing.

-Former “Zimmerman / Hill Machine Shop building & adjacent land.

-Former train station / Hill Machine Shop building

-Former borough garage parcel & vacant land on Spring Street.

-Former pool area, playground, concession stand

Executive Session schedule would best be during the daytime, such as a Saturday to better view the property areas. -request by Joseph Genits

Joseph Genits spoke about wanting council to tour all borough owned properties and that council will decide in the future when they will be meeting.

O. Advertising requirements for an “in-house employee “to be hired as a ZONING OFFICER with such considerations as:

P/T without benefits; Pay to be determined by initial application processing \$ _____;

Zoning Hearing Board application processing \$ _____;

A separate hourly fee paid by time sheet documentation for resident inquiries, additional inspections, Filing violation notices, attending DJ hearings, use of personal vehicle reimbursement \$_____. Since ARRO was not reappointed at the reorganizational meeting

for Zoning duties, until the Zoning Committee would recommend the requirements

Until an in house Zoning Officer, would be considered, ARRO would be approved in the interim time period to continue if the need arises. -request by Joseph Genits

Motioned to reappoint ARRO Consulting to continue as the zoning officer by Joseph Genits and seconded by Gwyneth Collevecchio.

Motion opposed Joseph Butrie.

Motion passed by majority.

P. Appointment of council member to serve on the Carbon County Council of Governments. - request by Joseph Genits

Motion to appoint Joseph Genits to serve on the Carbon County Council of Governments by Gwyneth Collevecchio and seconded by Michele Bartek.

Motion passed unanimously.

- Q. Discuss advertising for sale, SEWER PIPE Type SDR 26 Heavy Wall that is Currently stored in the LFD storage area, Pipe was purchased years ago and is not expected to be used for the intended project. Research past invoices Purchased to determine fair market value for sale. - request by Joseph Genits

Motioned to advertise the pipe for sale as is on muncibid by Jack Soberick and seconded by Joseph Butrie.

Motion passed unanimously.

- R. Report on bridge condition that is located crossing the creek from Dock St. Leading to Edgemont Road & Oak Streets. Repair options.-request by Joseph Genits

Motion was discussed earlier in meeting.

- S. Report on recent sewer blockage for multiple homes in the 300 block of West Water Street, whereby the 6-inch sewer transfers sewage from homes Going west connecting to the main line on South Cortright Street. -request by Joseph Genits

George Gilbert spoke that the sewer line is a lateral and that there is uncertainty on who owns the line and that cleanouts are in multiple yards on the street.

- T. Discuss best use of funds received from the sale of the ZIPPER (\$50,000) Suggest possible use is to use towards the purchase of a trac style SkidSteer With attachments such as “millhead; broom box; and forks.” To facilitate Numerous uses. Request that BID SPECS be prepared for council to review Prior to any advertisements to purchase by Sealed Bids. - request by Joseph Genits

Council agreed that the funds from the sale, in the amount of \$50,000.00,of the zipper is to be placed back into the Liquid Fuels Fund.

- U. Discuss amending the direction of travel from 2-way to become 1-way

On the following streets: -request by Joseph Genits

TUNNEL STREET : change to make One Way between Patterson Street

To Bertsch Street going South Only

COAL STREET : change to make One Way between Bertsch Street

To Patterson Street going North Only

Council agreed that the motion will be sent to the Public Safety Committee to review and discuss.

- V. Discuss repair to a portion of Edgemont Road on the Southwest portion of the Circle by using modified fill or road chip fill to eliminate deep ruts caused by heavy trucks and plowing over the years. Raising the one lane travel way by filling and crowning with fill materials to allow water run off thereby making for safer travel.-request by Joseph Genits

A discussion was held about the ownership of the road and about the condition of the road.

- W. Discussion to consider to approve Nicole Beckett, from Lafayette College to schedule a meeting date and time to allow the Administration Committee and the two borough secretaries to review borough operations in order to explore the possibility of contracting with Lafayette College Municipal Services and its consultant, Nicole Beckett to make specific recommends for improving overall borough clerical and financial operations.-request by Joseph Genits

The cost being \$650.00 for 5 hours for her to meet with the municipal administration.

Motioned by Joseph Genits and seconded by Joseph Butrie.

Motion passed unanimously.

- X. Discussion to finalize approval for JACK SOBERICK to begin receiving his rightful pension from the police pension fund. Motions to be made.-request by Joseph Genits

Motion to authorize payment to Jack Soberick a monthly normal retirement benefit in the amount of \$2,854.47 per month commencing on June 1, 2022 and continuing into the future under the Borough of Lansford Police Pension Fund.

Motioned by Joseph Genits and seconded by George Gilbert.

Roll Call vote was called.

Motion favored by Joseph Butrie, George Gilbert, Michele Bartek, Gwyneth Collevchio, and Joseph Genits.

Motion was opposed by Bruce Markovich.

Jack Soberick abstained due to conflict of interest.

Motion passed by majority vote.

Motion to authorize payment to Jack Soberick a Cost-of-Living increase to the monthly normal retirement benefit of \$2,854.47 per month pursuant to the Borough of Lansford Police Pension Plan in the following amounts:

a.2023: 3%

b.2024: 2.9%

c.2025: 3%

Motion was withdrawn.


Y. Motion to adjourn

Motioned by Joseph Butrie and seconded by Gwyneth Collevechio.

Motion passed unanimously.

The meeting was adjourned by President George Gilbert at 8:50p.m.

Respectfully Submitted,



Ashley McLaughlin

Secretary

RECEIVED

DEC 22 2021



LANSFORD BOROUGH
RECEIVED BY: AM

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD
651 BOAS STREET, ROOM 418
HARRISBURG, PA 17121-0750
(717) 787-1091

Direct Dial
717-787-1091

Fax Number
717-783-2974

December 18, 2025

ROBERT T YURCHAK ESQUIRE
1 E CATAWISSA STREET
PO BOX 127
NESQUEHONING PA 18240

RICHARDSON TODD EAGEN ESQUIRE
WELBY STOLTENBERG CIMBALLA & COOK LLC
4785 LINGLESTOWN ROAD SUITE 100
HARRISBURG PA 17112

LANSFORD BOROUGH
Case Number: PF-C-24-104-E

Enclosed please find the Proposed Decision and Order in the above-captioned matter.

Sincerely,

/s/ Jack E. Marino

JACK E. MARINO, ESQUIRE
Hearing Examiner

JEM:cif

cc: LANSFORD BOROUGH

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

FRATERNAL ORDER OF POLICE :
SCHUYLKILL-CARBON LODGE NO. 13 :
 :
 v. : CASE NO. PF-C-24-104-E
 :
LANSFORD BOROUGH :

PROPOSED DECISION AND ORDER

On December 19, 2024, the Fraternal Order of Police, Schuylkill-Carbon Lodge No. 13 (Union or FOP) filed a charge of unfair labor practices with the Pennsylvania Labor Relations Board (Board) alleging that the Borough of Lansford (Borough) violated Section 6(1)(a), (b), (c), and (e) of the Pennsylvania Labor Relations Act (PLRA), as read with Act 111. The Union specifically alleged the following: the Borough refused to implement necessary changes to its pension ordinance pursuant to the parties' collective bargaining agreement (CBA), effective January 1, 2023, through December 31, 2026; the Borough discriminated against and coerced FOP representative Sergeant Shawn Nunemacher when he presented a Step-2 grievance on November 12, 2024, regarding the Borough's alleged failure to amend the pension ordinance; and the Borough refused to provide requested information regarding a confrontation that occurred during the November 12, 2024 grievance filing.

On January 31, 2025, the Secretary of the Board issued a Complaint and Notice of Hearing designating a hearing date of Monday, April 7, 2025, in Harrisburg. After several continuances, at the request of the parties and the hearing examiner, the hearing was held in person on Thursday, September 25, 2025, in Harrisburg. During the hearing on that date, both parties were afforded a full and fair opportunity to present documents and testimony and to cross-examine witnesses. Before the introduction of evidence, the Union withdrew all claims and charges under Section 6(1)(b), (c), and (e). Thus, only the claims under Section 6(1)(a) for the confrontation on November 12, 2024 remain for consideration. (N.T. 9-14). Both parties simultaneously filed post-hearing briefs in support of their respective positions on December 1, 2025.

The examiner, based upon all matters of record, makes following:

FINDINGS OF FACT

1. The Borough is a public employer and political subdivision within the meaning of Act 111, as read with the PLRA. (N.T. 6-7; UX-1)
2. The Union is a labor organization within the meaning of Act 111, as read with the PLRA. (N.T. 6-7; UX-1)
3. The FOP is the exclusive collective bargaining representative for the police officers employed by the Borough. (UX-1)
4. Bruce Markovich has been the Borough Council President since 2020. (N.T. 109)

5. Shawn Nunemacher is a Sergeant in the Borough's Police Department. He is also the FOP representative. In his role as FOP representative, Sgt. Nunemacher files grievances and negotiates contracts on behalf of the Union and the police officers. He regularly interacts with Borough officials regarding labor-management issues. (N.T. 15-16)

6. Michelle Bartek is a Borough Council member, and she is the Chair of the Borough's Public Safety Committee, which oversees the Police Department. Hugh Vrablic is the Borough's Mayor. Ms. Bartek is the first step in the police grievance procedure. (N.T. 15-17)

7. In November 2024, Maria Ahner was the Borough's Secretary/Treasurer, and Ashley McLaughlin was the Assistant Secretary. Both work in the Borough office. In January 2025, the Borough split the Secretary/Treasurer position. Ms. Ahner became the Treasurer, and Ms. McLaughlin became the Borough Secretary. (N.T. 18-19, 81-83, 96-98)

8. On July 3, 2024, the parties entered into a CBA effective from January 1, 2023, through December 31, 2026. Article 9 of the CBA provides, in relevant part, that "[t]he pension ordinance shall be amended to include that each officer will receive fifty (50%) of the last 36 months average salary to include all overtime." (UX-1, Art. 9 § 2(a))

9. On September 4, 2024, the FOP's attorney sent a letter to the Borough's solicitor requesting that the Borough amend the pension ordinance "to confirm its obligation to include overtime in the Pension Monthly Average Salary Calculation." (N.T. 22-23; UX-2)

10. On October 28, 2024, Sgt. Nunemacher filed a Step-1 grievance on behalf of bargaining unit officers complaining that "[a]s of this date, the Borough has not responded to the FOP's request and has failed to implement the necessary changes to the Pension Ordinance to confirm its obligation to include overtime in the Pension Monthly Average Salary Calculation." This grievance was time-stamped as received by Ms. Ahner. Sgt. Nunemacher received no response from Ms. Bartek within the time required by the contractual grievance procedure, which is deemed a denial. She did not share the grievance with Mr. Markovich. ((N.T. 25-26, 44, 59, 86, 99-100, 131; UX-3)

11. Video of the Borough Office shows that Sgt. Nunemacher entered the Office at 11:59:33 on November 12, 2024. It shows that Mr. Markovich was seated at his desk in the Borough Office behind and left of the counter. Mr. Markovich stood up from his desk at 11:59:28 to talk to Ms. McLaughlin. Sgt. Nunemacher then approached the counter at 11:59:39. Mr. Markovich then approached Sgt. Nunemacher and began speaking to him. There is no audio component to the video footage. The exchange lasted until 12:03. (UX-5)

12. The witnesses were sequestered during the hearing, and the witnesses gave different accounts of what Mr. Markovich and Sgt. Nunemacher said to each other and how they said it. (N.T. 7-8, 27-57, 123-149)

13. The video shows that Mr. Markovich approached Sgt. Nunemacher and began speaking first while pointing his finger, but outwardly calm. Mr. Markovich pointed his finger while speaking for a while and changed to moving an open hand while speaking. Then Sgt. Nunemacher began speaking first with no hand gestures and then Sgt. Nunemacher began moving an open hand while speaking. (UX-5)

14. The video shows Sgt. Nunemacher becoming escalated first at which point Mr. Markovich attempted to walk away with his hand up in a gesture of resignation. At this point, Mr. Markovich is off camera and Sgt. Nunemacher continued to yell at Mr. Markovich. Mr. Markovich then comes back into view and walks to within a foot of Sgt. Nunemacher. Sgt. Nunemacher is leaning forward while visibly yelling and gesturing in an escalated manner. Mr. Markovich seems calmer. (UX-5)

15. Sgt. Nunemacher testified that, as Mr. Markovich approached Sgt. Nunemacher from the left, Mr. Markovich said: "We need to talk about this grievance, I am suggesting you take this back." When Sgt. Nunemacher asked why, Mr. Markovich responded: "Because you're going to owe us a lot of money . . . you're going to have to pay us back for that . . . because you didn't pay enough money in." Sgt. Nunemacher asked: "How is that our fault?" Mr. Markovich responded: "We're entitled to it, we're able to take that money back . . . I suggest you take this grievance back." (N.T. 27, 48-49, 53)

16. Sgt. Nunemacher testified that he said that he would not take the grievance back and turned toward the counter when Mr. Markovich said that "you're going to lose this like you're going to lose all the other stuff," to which Sgt. Nunemacher responded: "we didn't lose anything." Mr. Markovich then said for the 3rd or 4th time: "I'm going to take your money." Sgt. Nunemacher then asked: "Are you threatening us that you are going to take our money?" Mr. Markovich responded: "That's not a threat. I'm telling you what's going to happen." (N.T. 28-29)

17. After some other exchanges, according to Sgt. Nunemacher, Mr. Markovich said: "I'm telling you, you need to take that [grievance] back. You're going to pay that money." He then said: "I'm leaving." And Sgt. Nunemacher replied: "Okay then go." Mr. Markovich became red-faced, walked up close to Sgt. Nunemacher, and said: "You're not telling me to leave my building." The video shows that Mr. Markovich came within a foot of Sgt. Nunemacher. At this point, both men were yelling at each other, Mr. Markovich was between Sgt. Nunemacher and the exit, and Sgt. Nunemacher said: "Leave me alone," in a long and drawn-out manner. Sgt. Nunemacher testified that he felt like he could not disengage because Mr. Markovich was "in his face." (N.T. 29-30, 50, 54, 69-71, 89, 102-103; UX-5)

18. Detective Joshua Tom testified that, from the basement of the Borough Building, he heard an unidentified man yelling and then he heard Sgt. Nunemacher yelling. Detective Tom went upstairs and entered the Borough Office. Detective Tom testified that, upon entering the Borough Office, he saw Mr. Markovich to the right, and Sgt. Nunemacher "pinned" in the corner to the left. Mr. Markovich then backed up and said: "This isn't going to end here." "You're not going to win this." Mr. Markovich then left the Borough Building. (N.T. 30-31, 56, 69-71; UX-5)

19. To the extent that the unidentified man that Detective Tom heard from downstairs was Mr. Markovich, the video shows that Mr. Markovich did not appear to yell or become escalated until the end of the argument. The video shows that Mr. Markovich at one point raised his arm in resignation and attempted to walk away. (UX-5)

20. Ashley McLaughlin occupies the front desk and deals more with the public at the front counter in the Borough Office. Maria Ahner occupies the desk behind Ms. McLaughlin's desk. Ms. Ahner received and time-stamped the Step-1 grievance filed on October 28, 2024. The video shows that Ms.

McLaughlin and Ms. Ahner were approximately 8-15 feet from the counter on November 12, 2024, when Sgt. Nunemacher was filing the Step-2 grievance. Both of them acknowledged hearing raised voices. Ms. Ahner testified that she did not hear the substance of the argument between Sgt. Nunemacher and Mr. Markovich. Ms. McLaughlin testified that she did not remember a whole lot about the argument. During the argument, Ms. McLaughlin took the Step-2 grievance from the countertop where Sgt. Nunemacher placed it, copied it, time-stamped it received on November 12, 2024. The video shows that, in attempting to return the grievance to Sgt. Nunemacher, Ms. McLaughlin was standing at the counter about 5 feet from the argument waiting for a break in the argument to hand Sgt. Nunemacher his grievance back. Ms. McLaughlin was looking at the confrontation, and she was visibly uncomfortable. She did hand Sgt. Nunemacher the stamped copy of the grievance. (N.T. 25-27, 31, 35-36, 44, 47, 69-71, 87-89, 90-93, 100-103; UX-3, UX-5; BX-1)

21. No one told Ms. Ahner not to accept the Step-2 grievance. No one told Ms. McLaughlin not to accept the Step-2 grievance. (N.T. 94, 105)

22. Afterward, Sgt. Nunemacher typed an incident report (Report) detailing what transpired between him and Mr. Markovich. Sgt. Nunemacher completed and printed the Report at 12:58 p.m. on November 12, 2024, within an hour of the incident. (N.T. 32; UX-4)

23. Sgt. Nunemacher's Report provides, in relevant part, as follows:

Upon getting upstairs council president Bruce Markovich was standing by the counter. Markovich turned to me and in an aggressive manner stated we need to talk about this grievance. He then stated he is suggesting we take our grievance back. I asked why. He stated because the officers would have to pay money due to the borough not taking out enough. I asked why that would be our fault. Markovich stated because they can re coop [sic] their losses. I informed him that I did not think he was right. Markovich again stated they would take the money back and that they could. I told Markovich I did not believe him and that he lies. Markovich continued on stated [sic] I was wrong. I again turned back to Markovich and told him he doesn't do anything correct. Markovich again began stating about taking money. I informed him that I believed he was threatening me if I put the grievance in. He stated he was not and that he was telling me. Markovich then moved behind me towards the exit and continued talking. I told Markovich that he just does what he wants and not what the Town wants. I told him that stores are getting broken into because there's no cops. Markovich stated how[']s that his fault. I told him because he runs the town. He then stated that was on the mayor. After this back and forth for several minutes Markovich stated he was done. I said okay the[n] just leave. Markovich turned towards me very angry and stated your [sic] not going to tell me to leave. Markovich then walked up to me abruptly and got within inches of my face right up against me. At this point I believed Markovich was going to strike me and I had no way to leave the office as he was block [sic] my front. He again stated I wasn't going to tell him to leave. I told him I was trying to do what the contract told me to do. Markovich told me everything in the bor[ough] office was being video recorded. I told him good. I must have told Markovich 3-4 times to leave or leave me alone and he persisted.

During this both [S]ecretary Ashley McLaughlin and Maria Ahner were present. Detective Tom who was downstairs in the station heard the commotion and came upstairs.

During this Markovich make every attempt to get me to stop the grievance process and then boxed me in to which I believed he was going to strike me.

(UX-4)

24. After receiving the Union Attorney's September 4, 2024 letter, Mr. Markovich arranged for the pension ordinance amendment issue to be placed on the agenda for a Council meeting. At a subsequent Council meeting, Council authorized its solicitor to amend the ordinance. The proposed amended ordinance was sent for an actuarial study, and the amended ordinance was adopted on February 12, 2025. (N.T. 110-114)

25. Mr. Markovich testified that he was unaware of the Step-1 grievance filed on October 28, 2024, when Sgt. Nunemacher entered the Borough Offices on November 12, 2024, to file the Step-2 grievance. Prior to November 12, 2024, Mr. Markovich learned that the police pension was underfunded because the prior Borough Secretary/Treasurer had deducted 2.8% from the officers' pay instead of 3.5%. (N.T. 114-128, 131)

26. On November 8, 2024, the Office of the Auditor General emailed an audit report to the Borough. The report contains 2 distinct findings: 1) Noncompliance With Prior Recommendation--Inconsistent and Unauthorized Pension Benefits; and 2) Incorrect Data On Certification Form AG 385 Resulting In An Underpayment Of State Aid. (BX-2)

27. On November 10th or 11th, 2024, Council met and decided to arrange a meeting with the police Union to explain the pension shortfall.¹ (N.T. 121-122)

28. Mr. Markovich testified that he told Sgt. Nunemacher that "we have an issue with the pension, we need to meet and go over this." Mr. Markovich added: "there were mistakes made in the pension." Sgt. Nunemacher responded: "Who made the mistakes?" Mr. Markovich answered: "Evidently, we did." Sgt. Nunemacher said: "It sucks to be you." Mr. Markovich asserted that the pension is underfunded and "we have every right to recover that money, if we decide to do that." Sgt. Nunemacher said: "We'll take you to arbitration," to which Mr. Markovich said: "It hasn't done you any good in the past." (N.T. 123-124, 147-149)

29. Mr. Markovich testified that, at that point, Sgt. Nunemacher "just lost it," and began blaming Mr. Markovich for a list of things while yelling and using the "F-word." Mr. Markovich testified that he just stood there and listened to it. He then explained to Sgt. Nunemacher that he only has himself to blame for not becoming Chief. Mr. Markovich testified that Sgt. Nunemacher was "so enraged" that he was not listening to reason. The video does show that Sgt. Nunemacher became enraged. (N.T. 123-126)

¹ The record does not identify whether this meeting was an executive session or a public meeting.

30. Mr. Markovich testified that Sgt. Nunemacher then told Mr. Markovich to leave to which Mr. Markovich responded: "This is my office . . . you don't tell me to get out of my office." Then, according to Mr. Markovich, Sgt. Nunemacher again said: "Get out of this office." Mr. Markovich repeated: "This is my office; I'll leave when I want to leave." Sgt. Nunemacher then told Mr. Markovich to "get out of this office before you get hurt." (N.T. 125-126, 141)

31. Mr. Markovich testified that, at this point, he got up in front of Sgt. Nunemacher and said: "You do not come into my office, you do not threaten me. You don't threaten to hurt me in my office." Mr. Markovich testified that Detective Tom walked in, and that Mr. Markovich began to leave the office. Mr. Markovich testified that he left the Borough Office and while walking down the street, he heard Sgt. Nunemacher yelling something else at him. The video shows Sgt. Nunemacher yell something as he walked outside. (N.T. 126; UX-5)

32. Mr. Markovich testified that he did not know that Sgt. Nunemacher was filing a grievance on November 12, 2024, that he did not tell Sgt. Nunemacher that he could not file a grievance, or that Sgt. Nunemacher should take the grievance back. Mr. Markovich testified that he saw that Sgt. Nunemacher had papers in his hand but he did not know what those papers were. The video shows that Sgt. Nunemacher did not give the grievance to Ms. McLaughlin until the middle of the argument. Mr. Markovich testified that he only intended to address the pension shortfall with Sgt. Nunemacher as the FOP representative. He testified that he did not intend to address any grievance and that he did not yell at Sgt. Nunemacher until Sgt. Nunemacher threatened to hurt him. (N.T. 127-128, 131, 136-137; UX-5)

33. Mr. Markovich testified that he learned of the grievance a few days later when the Borough Solicitor emailed him. The Borough did not discipline Sgt. Nunemacher for the November 12, 2024 incident. (N.T. 129-130, 139-140)

DISCUSSION

The Union argues that the Borough Council President knew that Sgt. Nunemacher was engaging in protected activity when filing the Step-2 grievance pursuant to the pension provisions of the CBA on November 12, 2024, and that Mr. Markovich's behavior and statements towards Sgt. Nunemacher, under the totality of the circumstances in which they occurred on that date, interfered with, restrained, and coerced Sgt. Nunemacher and the FOP members in the exercise of their protected rights. (Union Brief at 4, 9). The Union further contends that Sgt. Nunemacher's Report, which he wrote the same day at the direction of the Chief, confirms his testimony about the events of November 12, 2024. (Union Brief at 7). The Union asserts that Detective Tom, who was downstairs, heard a man yelling and then heard Sgt. Nunemacher yelling for a man to get away from him and leave. This caused Detective Tom to go upstairs into the Borough Office and saw Mr. Markovich and Sgt. Nunemacher. (Union Brief at 8-9). The Union also argues that the testimony of Mr. Markovich that he was not aware of the Step-1 grievance and the reasons he approached Sgt. Nunemacher on November 12, 2024, should not be credited because he gave contrary and inconsistent testimony and denied raising his voice. (Union Brief at 9-11).

The Borough essentially argues that the Union failed to establish that Mr. Markovich acted with the intent to interfere with the filing of the grievance on November 12, 2024 because the testimony of Mr. Markovich establishes that he did not know about the Step-1 grievance or that Sgt. Nunemacher had the Step-2 grievance in his hand for filing. The Borough maintains that Mr. Markovich only intended to have a labor-management meeting with the FOP representative about the pension shortfall which resulted in a confrontation but not interference with or coercion regarding the filing of a grievance seeking the inclusion of overtime in pension calculations. (Borough Brief at 3-7).

The Board will find an independent violation of Section 6(1)(a) has occurred where, in light of the totality of the circumstances, "the employer's action has a tendency to coerce a reasonable employee in the exercise of protected rights." Pennsylvania State Troopers Association v. Commonwealth of Pennsylvania, Pennsylvania State Police, 42 PPER 46 at 156 (Final Order, 2011). Actual coercion of the employees and improper motive on the part of the public employer need not be shown in order to find a violation of Section 6(1)(a). Teamsters Local No. 249 v. Millvale Borough, 36 PPER 147 (Final Order, 2005).

The resolution of this case turns on whether Mr. Markovich intimidated or coerced Sgt. Nunemacher for filing a grievance and telling him to take it back. Mr. Markovich and Sgt. Nunemacher have polar opposite recollections of what transpired on November 12, 2024, and the video evidence does not indicate whether Mr. Markovich mentioned the grievance or attempted to stop Sgt. Nunemacher from filing it. Also, Ms. McLaughlin and Ms. Ahner, who were in the same area just a few feet away, inexplicably testified that they did not hear or recall the substance of the argument, even though Ms. McLaughlin was visibly uncomfortable while looking at the Sergeant and the Borough Council President arguing from just a few feet away.

The Union presented the Report written by Sgt. Nunemacher, which he printed within an hour of the argument, as corroboration of Sgt. Nunemacher's version of events. However, the Report and Sgt. Nunemacher's testimony are insufficient to discredit the testimony of Mr. Markovich. Also, the video shows that Sgt. Nunemacher became escalated first not Mr. Markovich, which undercuts Det. Tom's testimony that he heard from the basement another man yelling and then he heard Sgt. Nunemacher yelling. There is no basis for crediting one version of events over the other on this record after evaluating the demeanor, credibility, and command of the historical facts of both Sgt. Nunemacher and Mr. Markovich.

Mr. Markovich credibly testified that he was unaware of the Step-1 grievance, and that he was unaware that Sgt. Nunemacher was in the Borough Office to file the Step-2 grievance on November 12, 2024. Certainly, had Mr. Markovich attempted to block Sgt. Nunemacher's efforts to file the Step-2 grievance on November 12, 2024, a reasonable person would have been coerced in the exercise of rights protected under the PLRA. However, the testimonies of both Sgt. Nunemacher and Mr. Markovich are consistent in that the argument pertained to taking money back from officers because of the pension shortfall and not to amending the pension ordinance to include overtime. Mr. Markovich and Sgt. Nunemacher were not arguing over anything that pertained to the grievance. Significantly, the Borough had already begun the process of amending the pension ordinance, and Mr. Markovich had no reason to argue about changing the pension ordinance or any grievances pertaining thereto.

Thus, the unresolved conflicts in the record and the fact that both sides agree that the argument did not pertain to the subject of the grievance necessitates the conclusion that the Union did not meet its burden of proving by a preponderance of the evidence that, under the totality of the circumstances, Mr. Markovich interfered with Sgt. Nunemacher's protected right to file the Step-2 grievance on November 12, 2024. The heated argument on November 12, 2024, between a Management representative and a Union representative over the pension shortfall, and the list of other matters allegedly plaguing the Borough, did not in itself violate Section 6(1)(a) of the PLRA, as read with Act 111.

CONCLUSIONS

The hearing examiner, therefore, after due consideration of the foregoing and the record as a whole, concludes and finds as follows:

1. The Borough is a public employer and a political subdivision within the meaning of the PLRA, as read with Act 111.
2. The Union is a labor organization within the meaning of the PLRA, as read with Act 111.
3. The Board has jurisdiction over the parties hereto.
4. The Borough has not committed unfair labor practices within the meaning of Section 6(1)(a) of the PLRA, as read with Act 111.

ORDER

In view of the foregoing and in order to effectuate the policies of the PLRA and Act 111, the hearing examiner

HEREBY ORDERS AND DIRECTS

that the charge is dismissed, the complaint is rescinded and that in the absence of any exceptions filed with the Board pursuant to 34 Pa. Code § 95.98(a) within twenty (20) days of the date hereof, this order shall be and become final.

SIGNED, DATED AND MAILED at Harrisburg, Pennsylvania, this eighteenth day of December, 2025.

PENNSYLVANIA LABOR RELATIONS BOARD

/S/ JACK E. MARINO

JACK E. MARINO, Hearing Examiner