

FORTY FORT BOROUGH
CIVIL SERVICE COMMISSION MEETING MINUTES
WEDNESDAY, JUNE 26, 2024

The Forty Fort Borough Civil Service Commission held a meeting on Wednesday, June 26, 2024 at the Forty Fort Borough Bldg., 1271 Wyoming Ave., Forty Fort, PA with chairperson, Rob Swaback, presiding. Also in attendance were commission members Sara Michaels & Christine Kutz and alternates, Rob Craig, William Stone, Jr. & Donnie Evans.

This meeting was advertised in the legal section of the Citizens Voice newspaper on June 21, 2024, and the agenda for the meeting was posted on the Borough's website, fortyfort.org and at the Borough Building on Tuesday, June 25, 2024 as well as announced on the Borough's social media Facebook page.

The start of the meeting began with an agenda being distributed by the chair which had not been posted on the website only on the door of the council room at the Borough Building. Council Vice Chair, Sara Michaels, distributed the agenda which had been posted as illustrated above.

Arguments followed as to whom were the voting members of the commission with Mr. Craig stating that he remained a voting member despite the fact that Christine Kutz had been appointed by council to fill the vacancy when Scott Serafin resigned.

After making motions and seconds for various motions, Mr. Swaback & Mr. Craig exited the meeting stating that the meeting was adjourned.

At this time, Atty. Lars Anderson arrived at the meeting having been delayed in traffic. He was apprised of what had taken place up to this point in the meeting. Atty. Anderson asked Ms. Kutz and Ms. Michaels if they had voted to adjourn the meeting. Both stated they had not voted to adjourn the meeting. Since there had not been a majority vote to adjourn the meeting, and since when the meeting began, there had been a quorum of members present, the meeting would continue without Mr. Swaback present, leaving members Sara Michaels & Christine Kutz present.

The first order of business was a motion by Ms. Michaels to approve the Engagement letter signed by Chairman Swaback on June 13, 2024 hiring Atty. Lars Anderson as the Solicitor for the Forty Fort Borough Civil Service Commission. Motion seconded by Ms. Kutz. Roll call vote showed the following:

YES: Ms. Michaels, Ms. Kutz

Motion passed unanimously

Atty. Anderson explained that despite the fact that the agenda prepared by the chair had not been properly advertised on the borough's website, the chair does set the agenda and that agenda should be the one followed at the meeting. However, a motion can be made to revise the agenda so that the agenda prepared by vice chairperson, Ms. Michaels was the agenda for the meeting going forward.

Motion by Ms. Kutz to revise the agenda for tonight's meeting to the one that has been prepared and advertised on the Borough's website. Seconded by Ms. Michaels. Roll call voted showed the following:

YES: Ms. Michaels, Ms. Kutz

Motion passed unanimously

Motion by Ms. Kutz to accept the minutes of the 6/17/24 Civil Service Commission meeting. Second by Ms. Michaels. All commission members present were in favor of this motion. Motion passed.

Public comment was allowed on the revised agenda.

At this time, the Commission members, including the alternates, reviewed the three applications that had been received during the period seeking applicants for a full-time police officer in Forty Fort Borough. Any missing information was noted for Chief Hunsinger to obtain from the applicant during the background check process.

Motion by Ms. Michaels to accept the three (3) applications received for the position of police officer. Second by Ms. Kutz. All commission members present were in favor of this motion. Motion passed.

Commission member Christine Kutz stated that she felt that it was a conflict of interest for Tony Smith to be acting as clerk for the Commission as he has publicly stated his displeasure with the Forty Fort Police department and his views of the un-necessary hiring of a police officer. She noted that the Borough is capable of supplying the Commission with clerical assistance.

When questioned on how Commission members can be removed, Atty. Anderson explained that only Borough council has the power to do this. This also applies to the removal of the Clerk. The Commission itself does not have the power to remove any members. He stated that they could, however, re-organize, if they so desired.

Ms. Michaels stated that she would like to see the Commission members use the Civil Service e-mail that has been set up through the Borough's e-mail server and include all members. Atty. Anderson cautioned not to engage in discussion via e-mails as this could be viewed as a violation of the Sunshine Act.

The next meeting of the Commission was set for Wednesday, July 17, 2024 at 6:00 PM in Council Chambers.

Ms. Michaels noted that a Right to Know request had been sent to the Borough and forwarded to the Commission as the request was for minutes, agendas, etc. for the Civil Service Commission. A 30-day extension had been requested and that was up on June 28, 2024. Atty. Anderson explained that there was a likelihood that the information would not be provided to the requestor & that an appeal could be filed with the office of the OOR against the Borough.

Mayor Brian Thomas thanked the Commission for their courage to move forward with this process of hiring a police officer for the safety of borough residents.

Motion to adjourn the meeting at 7:26 PM was made by Ms. Kutz and seconded by Ms. Michaels.

Respectfully submitted,

Bonnie Arnone
Borough Manager