

**STOCKERTOWN BOROUGH SPECIAL COUNCIL  
MEETING MINUTES OF MARCH 31, 2022**

THE BOROUGH OF STOCKERTOWN HELD A COUNCIL MEETING ON THURSDAY, MARCH 31, 2022 AT 7:30 PM AT BOROUGH HALL.

**Attendance**

- Council Members present were: Council President Amy Richard, Vice President, Kathleen Zdonowski, Cindy Hower, Joe Gosnell, and Kimberly Holden-Forsyth. Renee Cantwell and Pam Davis were absent.
- Solicitor Gary Asteak, and Borough Secretary/Treasurer Anita Caughy were present.
- Mayor Ken Zemencsik and Chief Eric Schwab were parties to the proceedings.

**Pledge of Allegiance**

**The Meeting was called to order by Council President, Amy Richard, at 7:30 PM Ms. Richard then turned the meeting over to Solicitor Gary Asteak.**

Solicitor Asteak stated that we will convene a Police Tenure Act Hearing this evening. He informed the public that this will be a hearing and not a meeting. This hearing is being recorded by a certified Court Reporter. The hearing is being conducted pursuant to the Police Tenure Act and the local agency laws. We will be following the protocols as outlined by both the Statutes and the Case Laws. At the conclusion of the proceedings, Council will adjourn to deliberate and then a vote will be taken. Thereafter, an adjudication will be issued in writing with findings of fact.

Solicitor Asteak stated that the hearing is based on a written statement of charges issued by the Mayor of Stockertown Borough against Chief Eric Schwab dated March 15, 2022. The Police Tenure Act provides that an officer may be suspended, removed or reduced in rank for a variety of statutory reasons. In this case there were two reasons set forth.

1<sup>st</sup> - Neglect or violation of official duty

2<sup>nd</sup> - Engaging in Disobedience of Order or Conduct Unbecoming an Officer

There was also a prior written Warning issued by the Mayor to Chief Schwab on February 3, 2022 for insubordination and disobedience of orders.

Solicitor Asteak informed the public that this is a duly advertised meeting.

Mayor Zemencsik was represented by Attorney John Harrison.  
Chief Eric Schwab was represented by Attorney Quintes D. Taglioli

Solicitor Asteak informed the public that they were there as observers only and that they are not entitled to present any comments at any time during the proceeding unless called as a witness.

Each Council was given an opportunity to present their opening statements. Evidence was produced and each side was questioned and cross-examined.

Once both sides presented their case and were able to cross-examine each party, Council entered the Borough office to deliberate the issues presented.

Council returned and Amy Richard stated that based on the evidence presented Chief Schwab was found guilty of the charges presented and asked for a vote from council. Vote was as follows:

	Yea	Nay	Abstain
Amy Richard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pam Davis (Absent)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cindy Hower	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joe Gosnell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kathleen Zdonowski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Renee Cantwell (Absent)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kim Holden-Forsyth	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Formal written notice will be provided to Chief Schwab.

The next regular meeting of Borough Council will be held on April 4, 2022.

The foregoing was approved the 18<sup>th</sup> day of April, 2022.

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President of Council

Attest: \_\_\_\_\_