

Summit Hill Borough Council
December 13, 2010, 7:00 p.m., Borough Hall

The regular scheduled meeting of the Summit Hill Borough Council was held at the above time and place with Vice-President John O'Gurek presiding.

Roll Call – Vice-President John O'Gurek, Harry Miller, Ken Boyd, Mike Kokinda, William Chapman were all in attendance. President Joe Weber, Michael Alabovitz, Solicitor Joseph Matika and Mayor Paul McArdle were absent. President Joseph Weber arrived at 7:15 p.m.

Minutes – Motion was made by Ken Boyd and second by Mike Kokinda to approve the minutes from the November 8 and December 2, 2010 Summit Hill Borough Council Meetings. The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Floor –

1. Monica Marshall, 31 E. Ludlow Street, asked Council where are we with the cleaning of the Community Center. Kira said that it had been postponed due to the financial status of the Borough.
2. Debbie McCullough, 105 E. Amidon Street, told Council that she has a sewage problem and there is raw sewage backing up in her basement. She said that there has been a plumber there 3 times and the first time he snaked out 150 feet, the second time he went 145 feet and the third time he went out 70 feet. Debbie said that she had the plumber talk to Jimmy Yusella who said from their basement to the curb is only 50 feet. John O'Gurek said normally when someone is having a sewage problem someone else on the street will be having a problem as well. John said to check for a problem the Borough workers go to the manhole above the home and then to the one at the other end of the block, take both lids off, dump dye in one end and watch for the dye to come through the other end. If the dye comes through, then there is no problem with the Borough's line. Debbie asked Council if she pays to have a plumber to come and camera her line and they find it is the Borough's problem, will she be reimbursed the cost. Charlie Ziegler said that the dye test was done after he had the plumber there for the second time and the dye went through the line. He said he spoke with Jim Yusella and Jim said it was the Borough's problem. Kira said that Kossie talked with Jim and he said he explained the Borough's system to Mr. Ziegler but he never said it was the Borough's problem. John O'Gurek said that he would have Kossie get the camera from Lansford and they would go into the line to see if the problem is in the Borough's line before Ms. McCullough would spend any money to have a plumber camera her line.

Mayor's Report – Chief Joe Fittos read the Mayor's Report for the month of November 2010. He reported the magistrate income for the month of November 2010 was \$1,144.77. **Motion was made by Harry Miller and second by Mike Kokinda to approve the Mayor's Report for the month of November 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Police Report – Council received copies of Chief Fittos' Police report for the month of November 2010. **Motion was made by Ken Boyd and second by John O'Gurek to accept the Police Report for the month of November 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council

Planning and Zoning Report – Council received copies of Larry Marek's Planning and Zoning report for the month of November 2010. Kira asked Council to waive the Borough's zoning application fee for the Water Authority's solar panel project. Kira added that this will not waive the fees for Barry Isett and
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Associates. **Motion was made by Ken Boyd and second by John O’Gurek to waive the Borough’s portion of the application fee for the Summit Hill Water Authority in regards to their solar panel project.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. **Motion was made by Mike Kokinda and second by Joseph Weber to accept the Planning and Zoning Report for the month of November 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Work Leader Report – Council received copies of the Work Leader Report for the month of November 2010. **Motion was made by Ken Boyd and second by John O’Gurek to accept the Work Leader Report for the month of November 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Joe Baron asked if the work leader could sign off on his report every month.

Tax Collector Report – Borough Secretary, Kira Michalik, read the Tax Collector’s Report for the month of November 2010. Alice Kane submitted total taxes of \$4,181.45 with a commission of \$209.07. **Motion was made by Mike Kokinda and second by Bill Chapman to accept the Tax Collector Report for the month of November 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Wage Tax Report – Borough Secretary, Kira Michalik, read Berkheimer’s Wage Tax Report for the month of November 2010. They submitted total Earned Income Tax of \$27,262.35 with a commission of \$531.55. The total LST submitted for November was \$107.30 with a commission of \$1.88. **Motion was made by Bill Chapman and second by Ken Boyd to accept the Wage Tax Report for the month of November 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Receipts – Borough Secretary, Kira Michalik, reported the total receipts for the month of November 2010 as \$67,575.37. **Motion was made by Bill Chapman and Second by Harry Miller to accept the receipts for the month of November 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Committee Reports –

Streets –

- John O’Gurek said that all the plows are ready to go and all repairs are done and they are ready for winter.

Building – nothing at this time

Fire and Emergency Services- nothing at this time

- Bill Chapman asked for a report he said it doesn’t matter how little or much it is he would just like to know what is going on.

Recreation –

- Monica reported that she has received contracts for 2011 already. Two for February, one for June and a wedding in October.
- Bill Chapman asked what is the latest on the kitchen. Mike Kokinda said that he is having someone look at the hook-ups to get the equipment installed. Mike said we are going to need a motion to advertise to have the ventilation installed. Joe Weber mentioned that will be pending until we get suggestions from the engineer.

- Council received a letter of interest to join the Recreation Commission from Cheryl Schoch. **Motion was made by Harry Miller and second by Joe Weber to appoint Cheryl Schoch as a member of the Recreation Commission for a two year term, with the term ending December 2012.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
- Council received a letter to re-appoint Monica Marshall to the Recreation Commission. **Motion was made by Mike Kokinda and second by Harry Miller to re-appoint Monica Marshall to the Recreation Commission for a two year term, with the term ending December 2012.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
- Council received a letter of interest to join the Recreation Commission from Heather Scleicher. **Motion was made by Mike Kokinda and second by Bill Chapman to appoint Heather Scleicher as a member of the Recreation Commission for a two year term, with the term ending December 2012.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
- Council was notified that Larry Marek's term was up and he will not be rejoining the Commission
- Shawn Hoben said that the upwards stack came in and he wants to know who will install it. Mike Kokinda said that he was aware that it is here, he just isn't sure who is going to install it as of yet.

Motion was made by Harry Miller and second by Bill Chapman to accept all Committee Reports for the month of November 2010. The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Tom Tkatch asked why the people not being informed about the grant money when they ask about it. He said it was his understanding that the Borough hasn't received any grant money and then he read in the paper that the Borough has received most of money. Joe Weber said that the last monies that the Borough received came in at the end of April or beginning of May in 2010. Tom asked then why is Council saying that they haven't received the money from the state. Kira explained that when Council says that they haven't received the money what they are talking about is the remainder of the money that they are still waiting to receive. Joe Webber stressed that he never stated that the Borough did not receive any of the money applied for and that people are misunderstanding what Council has been discussing. Charles Ziegler asked if we have gotten all of this money should we really have to worry about money anymore. Chief Fittos said that it is easy to sit there and point fingers but Council does what they can for the Borough.

Communications – See attached sheet.

Communications

1. Assessment Recap Reports from the Board of Assessment and Revision of Taxes
2. Governor Center for Local Government Services will be holding a Managing Resources in a Downsized Economy seminar
3. PA One Call System will hold its board meeting and annual meeting on January 26, 2011 in Harrisburg.
4. NEPA sent their Annual Report for the fiscal year July 1, 2009 – June 30, 2010
5. PSAB 100th Annual Conference & Exhibition at Hershey Lodge April 10-13, 2011

Motion was made by Harry Miller and second by Mike Kokinda to accept all Communications for the month of November 2010. The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Bills – Borough Secretary, Kira Michalik, reported total expenses for the month of November 2010 as \$97,639.01. **Motion was made by Mike Kokinda and second by Mike Alabovitz to pay all bills for the month of November 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Unfinished Business –

1. Kira Michalik said she needs a motion to adopt Resolution #4 of 2010 in regards to the franchise agreement with Blue Ridge Cable. She asked if Council wants to stay at the 5% franchise fee or would they like to lower the fee. She added that it will be renewed and extended for an additional 10 year term expiring December 20, 2020. **Motion was made by John O’Gurek and second by Harry Miller to adopt Resolution #4 of 2010 renewing and extending the agreement between the Summit Hill Borough and Blue Ridge Cable Technologies for an additional 10 year term expiring December 20, 2020 and keeping the franchise fee at 5% to be paid to the Borough.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Mike Kokinda abstained because he works for Blue Ridge Cable.
2. Kira discussed an issue that she had with Tamaqua Transfer back in March. She explained that she wrote a letter to Tamaqua Transfer in regards to 25 missed recycle pick-ups that occurred. She said that according to our contract that can be charged so much per occurrence and so much per complaint not attended to. With that, she charged them a total of \$725.00, which she deducted from the bill before paying. Larry Wittig is asking Council to pay back the cost to Tamaqua Transfer otherwise he would take us to court. Kira said she spoke with Atty. Matika and he advised her to reimburse Tamaqua Transfer to avoid going to court and because other Borough’s have done this and were taken to court and lost; resulting in the Borough having to pay Tamaqua Transfer back and paying court costs. Kira explained that she was not sure of the reason they lost but to save the Borough money and legal costs, she suggests paying back Tamaqua Transfer the \$725.00. **Motion was made by Harry Miller and second by Mike Kokinda to reimburse Tamaqua Transfer for the charges they were penalized for in the amount of \$725.00.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

New Business –

1. Joe Weber read a resignation letter from William Mansberry Jr. resigning from the Summit Hill Civil Service Commission effective November 16, 2010. **Motion was made by Mike Kokinda and second by Bill Chapman to accept William Mansberry’s resignation letter from the Civil Service Commission effective November 16, 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
2. Harry Miller presented Council with one exemption for the 2010 garbage collection fee. Carol Keller, 329 E. White Street. **Motion was made by Harry Miller and second by Ken Boyd to approve Carol Keller, 329 E. White Street, for a garbage exemption for the 2010**

collection fee retroactive from the date of the application. The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Mike Kokinda said that he reviewed the ordinance and it needs to be revised.

3. Harry Miller reported one new handicap parking permit has been submitted.
 - a. Georgene Robertshaw, 51 E. White Street, for approval. **Motion was made by Harry Miller and second by Bill Chapman to approve the handicap application for Georgene Robertshaw at 51 E. White Street.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council
4. Kira presented Council with an invoice from Community Programs Inc. in the amount of \$4,800.00 for services provided during the month of November 2010. **Motion was made by John O'Gurek and second by Ken Boyd to pay Community Programs, Inc. a total amount of \$4,800.00.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
5. Kira said that last month we discussed writing a letter to the Sewer Authority asking for the Fire Company to be exempt from paying a sewer bill because they are part of the Borough and reside in a Borough Building. The Sewer Authority sent a letter stating that they reviewed the letter and unfortunately they can only approve an exemption for the building that holds Council Meetings. They have agreed to waive the late fees that were incurred while we were waiting on a decision. **Motion was made by Ken Boyd and second by Bill Chapman to not pay the sewer bill and send another request to the Sewer Authority asking for the Fire Company to be exempt.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Joe Barone asked what's the situation with the wind mill and solar panel project. Joe Weber said he is thinking of the wrong Authority; it is actually the Water Authority that is running that project.
6. Kira brought to Council's attention that the auditor informed her that according to Borough Code all Boroughs are to put their minutes in a pre-stamped binder with the pages already numbered in the book. The cost is \$140.00 per binder. Council said that if this is a mandatory thing, then we have no choice but to buy the book.
7. Kira told Council that the auditor also suggested that the Borough open up a separate bank account for the garbage collection fees. **Motion was made by Mike Kokinda and second by Bill Chapman to get information from different banks to see what the best rates are to open an account for the garbage collection fees.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
8. Joe Weber said we need a motion to adopt the budget for the 2011 fiscal year. The 2011 budget is based on total income and expenses being \$1,419,403.40 with a 1.5 mill increase bringing total mills to 15.1. Mills are broken down as follows: 13.1 mills to general fund, ½ a mill for fire and 1.5 mills for streets and lighting. **Motion was made by Mike Kokinda and second by John O'Gurek to adopt the 2011 budget with a 1.5 mill increase with income and expenses in the amount of \$1,419,403.40.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
9. Kira informed Council that she did get notice from ETA Benefits that all of the employee information is in and ETA will be sending it out to get quotes for health insurance rates.

10. Kira said that she needs to transfer \$23,377.93 from the Borough's sewer fund into the general fund to pay the November bill from Tamaqua Transfer. **Motion was made by Mike Kokinda and second by Harry Miller to transfer \$23,377.93 from the Borough's sewer fund into the general fund to pay the November bill for Tamaqua Transfer.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
11. Kira mentioned that we need to set up the meeting dates for 2011. Council discussed and agreed to keep the 2011 meetings on the 2nd Monday of each month. Kira was instructed to advertise the 2011 meeting dates in the paper.

Motion was made by Mike Kokinda and second by Ken Boyd to adjourn at 8:27 p.m. until the next regular scheduled meeting of the Summit Hill Borough on January 10, 2011. The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.



Kira Michalik
Summit Hill Borough
Secretary/Treasurer



Joseph Weber
Summit Hill Borough
Council President