

Summit Hill Borough Council
February 9, 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 President Joseph Weber presiding.

Roll Call – President Joseph Weber, Harry Miller, Michael Alabovitz, Ken Boyd, Mike Kokinda, William Chapman, Mayor Paul McArdle and Solicitor Joe Matika were all in attendance. Vice-President John O’Gurek was absent.

Minutes – **Motion was made by William Chapman and second by Harry Miller to approve the minutes from the January 4, 2010 Summit Hill Borough Council Meeting.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Floor – Nothing at this time

Mayor’s Report – Mayor Paul McArdle read the Mayor’s Report for the months of December 2009 and January 4, 2010. He reported the magistrate income for the month of December 2009 was \$794.11 and January 2010 was \$754.44. **Motion was made by John O’Gurek and second by Ken Boyd to approve the Mayor’s Report for the months of December 2009 and January 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 January 2010. Chief Fittos stated that the transmission in the 2006 Crown Victoria needs to be replaced and he received a quote from Kovatch to have it repaired; the cost would be \$3,320.50. He also stated that the brake lines in the Explorer need to be replaced. **Motion was made by John O’Gurek and second by Ken Boyd to have Kovatch repair the transmission on the 2006 Crown Victoria for \$3,320.50.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Bill Chapman asked what we will be getting out of having the transmission repaired in the car. Chief Fittos stated that we will have a full warranty on the transmission once it is repaired. Chief Fittos stated that he does not think the Ford Explorer will last another year and will look to see if there is any funding available to have replaced. **Motion was made by John O’Gurek and second by Ken Boyd to accept the Police Report for the month of January 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 January 2010. Larry stated that he would like to follow up on the solar panels from the last meeting. He stated that he suggests that Council does not go through the zoning hearing board for this. He stated that you shouldn’t be restrictive with solar panels. **Motion was made by Harry Miller and second by John O’Gurek to accept the Planning and Zoning Report for the month of January 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 January 2010. Mike Kokinda stated that shoveling should be done in front of Borough building before the building opens at 8 a.m. John O’Gurek stated that he agrees with Mike but he has a problem with the Water Authority not helping out the Borough when it comes to shoveling in front of the building. Joe Weber said that everyone needs to work together to get the job done. Bill Chapman suggested that we get a sign showing where the Police Station and Municipal Building are located. Harry Miller asked who is supposed to clean the west lot next to the Fire Company. John
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O’Gurek stated that the Borough has always plowed that lot. Joe Weber said that he would talk to the Water Authority. Paul McArdle stated that when we are plowing behind the Borough Building we are piling snow up in front of home owners’ garages and blocking them in. He asked if we could come back with the loader and remove the snow to allow access to the garages. **Motion was made by John O’Gurek and second by Mike Kokinda to accept the Work Leader Report for the month of January 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Tax Collector Report – Nothing at this time.

Wage Tax Report – Borough Secretary, Kira Michalik, read Berkheimer’s Wage Tax Report for the months of December 2009 and January 2010. They submitted total Earned Income Tax of \$10,623.58 for December with a commission of \$221.39 and for January they submitted total Earned Income Tax of \$18,334.87 with a commission of \$375.15. The total LST Tax submitted for December was \$24.60 with no commission, and the total LST tax submitted for January was \$19.60 with no commission. **Motion was made by Mike Kokinda and second by Harry Miller to accept the Wage Tax Reports for the months of December 2009 and January 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 January 2010 as \$107,204.01. **Motion was made by Mike Kokinda and Second by Ken Boyd to accept the receipts for January 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 one of the plows is broken and the borough workers have been working on fixing it to make sure it is ready for the next storm that is coming. He stated that we could have done better with plowing during the last snow storm but the other plow broke down two times; everything is ready to go for the big snow storm coming.

Building –

- Joe Weber stated that the Fire Company is now moved in to the new building as of January 30, 2010; there are some minor issues with the building. Larry Black said that there is a leaking toilet, problems with the door knob and the exhaust system is very flimsy and they are very concerned about it. There was a poor install with the system so it is causing it to come down; they don’t want it to fall on the trucks. Mike Kokinda mentioned that he spoke with Roger from Miller Bros. and he said to email the punch list to Kenny Harner so that they could get working on these issues. He stated that the final punch list would need to be in by May when the one year inspection comes around.

Fire and Emergency Services –

- Larry Black stated that the pizza sale was good, there will be a candy sale, a flower sale and they are working on the cook book.

Recreation –

- Council Received letters of interest to join the Recreation Commission from Russell Marshall, Walter Lausterer, Delores McAndrew, Joe Pelcheck Jr. and Margaret Pelcheck.
 1. **Motion was made by John O’Gurek and second by Harry Miller to reappoint Suzanne Milkowich as a member of the Recreation Commission for a two year term.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
 2. **Motion was made by John O’Gurek and second by Bill Chapman to appoint Russell Marshall as a member of the Recreation Commission for a two year term.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
 3. **Motion was made by Bill Chapman and second by Mike Kokinda to appoint Walter Lausterer as a member of the Recreation Commission for a two year term.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
 4. **Motion was made by Harry Miller and second by Bill Chapman to appoint Delores McAndrew as a member of the Recreation Commission for a two year term.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
 5. **Motion was made by Harry Miller and second by John O’Gurek to appoint Joe Pelcheck Jr. as a member of the Recreation Commission for a two year term.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
 6. **Motion was made by John O’Gurek and second by Harry Miller to appoint Margaret Pelcheck as a member of the Recreation Commission for a two year term.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
- Monica Marshall stated that they haven’t met this year yet so she has scheduled a special meeting for Tuesday February 16, 2010 at 7 p.m. She asked council when will we have possession of the community room and when can the recreation commission use it. Harry Miller asked how we going to set the room up and who is going to control it. Monica asked since they now have a committee formed can they meet to discuss the room and what they will need to get it up and running. Kira stated that Monica could come to her and fill out a form so that she could be issued a key for the building. Attorney Matika stated that he spoke to Attorney Nanovik and asked him how they run Memorial Hall he stated that you take the basic recreation ordinance and tailor it to the needs for the hall. Attorney Matika said that we will have to change the ordinance and set up a new commission to run the hall. Harry Miller stated that he thinks that there should be two separate commissions and one should be responsible to the Borough. Mike Kokinda said that the door on the left of the community room will not lock and we need to get it repaired. Joe Weber stated that there are other things that need to be discussed about the room along the lines of liabilities and how much we will charge to rent out the room. Joe Weber said that he feels it is a big slap in the face to Council and the tax payers of the town that have put time, effort and thousand of dollars into the community room and then another organization opens up the Heritage Center and is using it for the same purpose; he mentioned that it is his personal opinion not the rest of the members of Council. The whole purpose for the community room was to give something back to the community and he doesn’t want to see committees fighting over the two places.

- Joe Weber stated that he thinks personally it is a slap in the face to Council and to the tax payers of the town that have put time and effort and thousands of dollars into the Heritage Center to be used and he thinks that it should be used that's what it was built for, and he doesn't want to see committees fighting over it.
- Larry Marek said that there are tax dollars that are going to a church that is no longer a church; Joe Weber stated that we are looking into this.
- Monica Marshall stated that on behalf of the Recreation Commission that they are thankful for being able to utilize the Heritage Center and that they are looking forward to the new building.
- Mike Kokinda asked for a short executive session for litigation.
- Monica stated that she would like to begin planning Easter on the Hill and the Stay at Home Festival.

Motion was made by Mike Kokinda and second by Bill Chapman to accept all Committee Reports for the month of January 2010. The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Communications – See attached sheet.

1. Jolynn Gazo would like to receive permission from Council to use the community room for yoga. If that is not possible, would they be able to use the Council meeting room on Thursday nights for her yoga class. Harry Miller stated that we should table this until we decide how to run the community room. Attorney Matika stated that they would have to fill out a liability waiver. Attorney Matika said that he will look into this and get back to Council.

Communications

1. Notice of Assessment from the Board of Assessment and Revision of Taxes
2. Thank you card from Kira for the sympathy arrangement
3. Governor's Center for Local Government Services will be holding the following seminars:
 - a. Basic Training for Municipal Secretaries & Administrators
 - b. Zoning Decisions
 - c. L273: Managing Floodplain Development through the National Flood Insurance Program
4. LTAP sent their 2010 Spring course schedule
5. PSAB – 28th Annual Road and Bridge Safety Improvement Award Program
6. PSAB sent a letter regarding the 2010 PA Municipal Yearbook & Annual report
7. PSAB sent the dates and information for the 99th Annual Conference in Pittsburgh
8. PSAB sent information in regards to the PSAB Legislative Contact Sheet program to be used to document and maintain a legislative contact network serving PSAB membership
9. Letter from Leighton Ambulance, Inc. regarding the inspection for PA Dept. of Health. A copy of the Licensure is enclosed for review.
10. The Morning Call sent a list of their deadlines for publication
11. SH Water Authority 2008 audit
12. Letter from R.E. Pierson Construction Co. in regards to their quarry and their prices
13. Letter from International Code Council regarding the letter ballot for proposed bylaw amendment

14. PLGIT 4th Quarter 2009 newsletter
15. newPA news newsletter

Motion was made by Mike Kokinda and second by Bill Chapman to accept all Communications for the month of January 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 January 2010 as \$70,168.21. **Motion was made by Bill Chapman and second by Mike Kokinda to pay all bills for the month of January 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Unfinished Business –

1. Attorney Matika said he needs a motion to adopt the Tax Rate Ordinance for 2010. Joe Weber stated that this would be Ordinance #1 of 2010 with a tax rate for general purpose of 11.6 mills, lighting 1.5 mills and fire would be .5 mills. **Motion was made by Bill Chapman and second by Mike Kokinda to adopt Ordinance #1 of 2010, the Tax Rate Ordinance.** The motion was opened to the floor for comment, none made. Motion carried unanimously by Council.
2. Attorney Matika said that he looked into the Recreation Ordinance and there is nothing in there that states that you have to be a resident of Summit Hill Borough to be a part of the commission. He then stated that if anyone outside of the Borough would like to be a part of helping out with events in the Borough they should feel free to send in a letter, Council would still have to make a decision appointing applicants.
3. Attorney Matika said that he has also looked at the invoice from Writing Works again for the work that they have done for the wind turbines. He said that he had looked at the contract and that it states if they submit a report to us that we are responsible to pay the balance of \$1,462.50 that is owed to them. **Motion was made by Bill Chapman and second by Mike Kokinda to pay the balance of \$1,462.50 to Writing Works.** The motion was opened to the floor for comment, none made. Motion carried unanimously by Council.

New Business –

1. Attorney Matika stated that now that we have gotten the Bruce Markovich situation behind us, we are now ready to move forward with amending our pension plan agreement with the remaining police officers. He received a draft of it from PRMS with the exception of one minor change. With that change, the ordinance is ready for advertising for adoption at the meeting in March. He asked Council for a motion to advertise the amendment to the pension plan for the police department. He said that he will incorporate some of the minor changes that Council made when we approved the collective bargaining agreement in 2008. **Motion was made by John O’Gurek and second by Mike Kokinda to advertise the ordinance to amend the police pension plan.** The motion was opened to the floor for comment, none made. Motion carried unanimously by Council.
2. Harry Miller reported one handicap parking permit application has been submitted.

- Donnas Miller, 21 E. Hazard Street. He stated that she has a garage on the property and all driving is done by family and friends so there is no parking problem. **Motion was made by Harry Miller and second by Mike Kokinda to deny the handicap parking application for Donnas Miller at 21 E. Hazard Street.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
3. Joe Weber stated that there is a list of people that have filled out exemption forms to become exempt from garbage bills he stated that they should be in by now but Council is giving leeway as we get the ordinance off the ground. All forms need to be reviewed by the committee and then brought back to Council for approval.
 4. Joe Weber stated that the Committee list needs to be in place and he will do that right away.

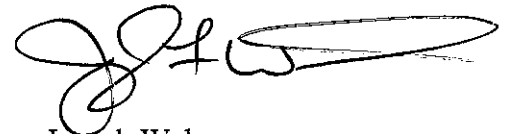
Council entered into a short executive session at 8:22 p.m. to discuss potential litigation.

Council entered back into regular session at 8:36 p.m.

Motion was made by Mike Kokinda and second by Bill Chapman to adjourn at 8:38 p.m. until the next regular scheduled meeting of the Summit Hill Borough on March 9, 2010. 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