

Summit Hill Borough Council
July 12, 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, Mike Alabovitz, Ken Boyd, Harry Miller, Mike Kokinda, William Chapman, Mayor Paul McArdle and Solicitor Joe Matika were all in attendance. President Joe Weber was absent.

Minutes – **Motion was made by Bill Chapman and second by Harry Miller to approve the minutes from the May 26 and June 14, 2010 Summit Hill Borough Council Meetings.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Floor –

1. Deb Rank, 43 E. Ludlow Street, talked to Council about a joint venture between SHCIO and Lansford Alive. Deb talked about how they want to start up the Main Street Project, which helps a community develop its main street, assist the businesses and create jobs. SHCIO had several meetings about the project. They discussed how Summit Hill has minimum population to move forward with the project. She told Council that recently Lansford found itself with \$26,000 in grant money that is on the verge of being returned to the grantor unless Lansford Alive found a project that would meet the grantors approval. Deb stated that Mark Svercheck, the president of Lansford Alive, approached her and asked her to attend a Lansford Alive meeting to have a preliminary discussion of a joint venture with them. He explained to her that the project would last one year and both towns would benefit equally. Deb said that there is no money involved at this time but Council’s support is needed because it is required by the grantor. She added that if SHCIO and Lansford Alive cannot come to an agreement by the end of August the monies will be returned to the grantor. Bill Chapman asked what accomplishments has Lansford Alive done so far; Deb stated that a year is a long time to get everything together. Harry Miller asked if Coaldale will be involved with the project. Deb said that Lansford Alive has tried to contact Coaldale and there has been no response. Harry asked will the population hurt us; Deb said that it would not. Bill Chapman suggested tabling this until Lansford Borough makes a decision. **Motion was made by Bill Chapman and second by Ken Boyd to table this until a decision is made by Lansford Borough Council.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Charles Ziegler said he doesn’t see why it would hurt to pass the joint venture. He stated that this is just the beginning and what happens if we loose this money; someone has to take the first step to approve this why can’t we do this tonight. Atty. Matika stated that we can call a special meeting to approve this if needed.
2. Ruthann Hagerty, 250 E. Holland Street, stated that the sign at the corner of E. Holland Street still says to Stoneylonesome Road. Harry Miller said that it was passed down to the Borough crew they just haven’t got to it yet. Ruthann also said that the fence at Dopira’s mini market is more than 8 feet high. Larry Marek expressed that he measured the fence and there is no way that it is more than 8 feet. Larry stated that Ruthann illegally has 2 signs up for her business and that she needs to come in and get a permit for those signs. Steve Redash stated that Larry and Mr. and Mrs. Hagerty should get together and re-measure the fence and discuss these issues so that it can get resolved.
3. Audrin and Austin Miller, 336 E. Fell Street, asked Council if they could look into cleaning up the tennis and basket ball courts and repairing what is there so that it isn’t such an eye sore. He also asked Council if they could clean up behind the field. He stated that there is construction

materials that were dumped there and now it is nothing but a junk pile and with children playing there someone is going to get hurt. Ken Boyd said that the little league is going to extend the field and they will be filling that area in. Mr. Miller also added that during the little league season there is no place for people to park so they end up parking in the alley and are blocking the garages. He stated that if you ask the people to move their cars, they get mad and become ignorant. Chief Fittos stated that if residents contact the station the police will ask the parents to move their vehicles. Audrin also asked if something could be done with the swing set. He said that it is old and rusty and children are climbing on it. One day someone is going to fall off and really get hurt. Larry Marek said that the recreation commission is working on a grant to try and repair the Ginter Field as well as the tennis courts. Recreation is trying to figure something out with the black top area at the tennis courts.

Mayor's Report – Mayor Paul McArdle read the Mayor's Report for the month of June 2010. He reported the magistrate income for the month of June 2010 as \$426.19. Mayor Paul McArdle stated that the triathlon that is to be held on Sunday, July 18, 2010 will need a lead car. He stated that this is something new that they are doing this year and he is asking permission from Council to take car 14 to lead the triathlon. **Motion was made by Ken Boyd and second by Bill Chapman to allow the Mayor to lead the triathlon with car 14 on Sunday, July 18, 2010.** 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 Bill Chapman to approve the Mayor's Report for the month of June 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 June 2010. Borough Secretary Kira Michalik informed Council that she received a resignation letter from Craig Strohl. In his letter Craig wanted to take the opportunity to thank everyone for being able to serve the Borough. **Motion was made by Mike Kokinda and second by Bill Chapman to accept Craig Strohl's resignation letter.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. **Motion was made by Bill Chapman and second by Harry Miller to accept the Police Report for the month of June 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Bill Chapman talked about the situation on Ludlow Street with motorcycles; Bill stated that he spoke to Chief Fittos and the Crime Watch regarding this matter. Ken Boyd said that he thinks Council needs to raise the part time officer's wage to \$16.00 or \$17.00 per hour; he said that Lehigh is at \$18.00. Mike Alabovitz talked about how residents are putting their garbage out too early and the ordinance needs to be enforced. People need to be informed that the garbage can not go out until 12 p.m. the day before pick up.

Planning and Zoning Report – Council received copies of Larry Marek's Planning and Zoning report for the month of June 2010. **Motion was made by Harry Miller and second by Mike Kokinda to accept the Planning and Zoning Report for the month of June 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 June 2010. **Motion was made by Ken Boyd and second by Mike Alabovitz to accept the Work Leader Report for the month of June 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Tax Collector Report – Borough Secretary, Kira Michalik, read the Tax Collector's Report for the month of June 2010. Alice Kane submitted total taxes of \$9,281.44 with a commission of \$491.07. **Motion was made by Harry Miller and second by Mike Kokinda to accept the Tax Collector Report for the month of June 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 June 2010. They submitted total Earned Income Tax of \$8,508.97 with a commission of \$184.99. The total LST submitted for June was \$0.00 with a commission of \$0.00. **Motion was made by Harry Miller and second by Ken Boyd to accept the Wage Tax Report for the month of June 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 June 2010 as \$90,514.71. **Motion was made by Mike Kokinda and Second by Ken Boyd to accept the receipts for the month of June 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Committee Reports –

Streets – nothing at this time

Building – nothing at this time

Fire and Emergency Services-

- Shawn Hoben stated that the Fire Company is leaking and it is damaging the drywall. He also added that there is another puddle in the training room and Miller Brothers never came to complete the original punch list. Atty. Matika talked about how Council made a motion to have specifications prepared to remedy all of these issues with the building. He said that he spoke with two different engineering company’s regarding this matter and they informed him that this would be an expensive process and could be anywhere between \$5,000 and \$7,000 in fees just to provide specs on how to fix the problem. He said that we should put the project out for bid so that prospective bidders can look at the design, look at the project and any change orders to those plans for both buildings and then the Borough can review the bids. Atty. Matika said the notice is already done so Council can take a vote on it tonight and it will be in the paper by Wednesday. It will be advertised for two weeks and then Council can hold a special meeting to open the bids and another to make a motion to hire someone to repair the system as long as the bids are in order. He feels that a contractor can be there to repair the system in about 3 weeks. Atty. Matika also talked about how we need to have the system repaired to the original design. Shawn stated that we need to get this repaired soon or there is going to be an emergency situation from all of the problems. **Motion was made by Mike Alabovitz and Second by Ken Boyd to put out on bid the repairs to the HVAC systems in both the Borough and Fire Company Buildings.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Charles Ziegler asked what can the courts do to help up with this situation. Atty. Matika said there is nothing that they can help us with at this time. The question right now is whether or not the defects in the system are an emergency or not. Atty. Matika stated that the bids will be opened on July 23, 2010 at 12:00p.m. the Special Council Meeting will be held to review the bids on July 26, 2010 at 7:00p.m. **Motion was made by Mike Kokinda and Second by Harry Miller to advertise for contractors to bid on repairing the HVAC systems for both the Borough and the Fire Company buildings according to the original specs and design.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Shawn asked Council for permission to get a flag pole in front of the fire house with no cost to the Borough. **Motion was made by Ken Boyd and Second by Mike Kokinda to give the Fire Company permission to put a flag pole in front of the Fire House with no cost to the Borough.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

- John Poko mentions that the Fire Company Dedication will be held on Saturday, July 24, 2010, August will be the annual Golf Tournament and September 25, 2010 the Fire Company will be holding goat chip bingo in Ludlow Park. John asked Council if the Boroughs insurance would cover the goat or if the woman who is bringing the goat would need to supply her own insurance. Kira said that she would call the insurance company to find out and get back to him. **Motion was made by Mike Kokinda and Second by Ken Boyd to allow the Fire Company to use Ludlow Park to hold a Goat Chip Bingo on September 25, 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Recreation –

- Monica Marshall talked to Council about Craftin & Crusin that is taking place on Saturday, July 17, 2010 from 11 a.m. to 3 p.m. in Ludlow Park. She asked Council's permission to have Holland and Ludlow Streets blocked off and posted for no parking. Monica also asked if the grass can be cut for the event, if needed.
- Monica told Council that the Girl Scouts would like to start up again in September and asked Council if they should be charged to use the Community Room since they are a non-profit organization. Harry Miller said that none of the non-profit organizations from Summit Hill should be charged to use the Community Room. Monica said that she had several people asking about having classes in the Community Room such as aerobics, yoga and zumba. She stated that you pay \$5.00 for the class and usually only 5 people show up for the class; it's not worth it to the instructor to give up an hour of her time to make nothing. Monica said maybe we can monitor the room to see who is using it and for what. Bill Chapman said that there are still liability issues with that as well; no one should be using the building without the proper liability insurance. A lengthy discussion took place about what organizations or groups should be allowed to use the room with no charge. It was finally decided that members of recreation and Council would sit down together and make a list of those organizations and groups that they feel should be allowed to use the room at no charge. The list will be presented to all of Council for approval. Harry Miller asked Monica where the rental money is being deposited when she receives it for the room. She said that she has been depositing it into Recreation's account. Atty. Matika expressed that all user fees are to be turned over to the Borough. Monica said that she will get a check over to Kira for the fees already collected.

Motion was made by Ken Boyd and second by Mike Alabovitz to accept all Committee Reports for the month of June 2010. The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Communications – See attached sheet.

- Kovatch sent a letter to the Borough thanking everyone for their help with their open house that was held on July 10, 2010.
- Panther Valley Running and Fitness Club would like permission to hold their annual 5k run/walk through the streets of Summit Hill on Saturday, November 13, 2010 at 10:00 a.m. and they are asking for the Police and Fire Police to assist. **Motion was made by Mike Alabovitz and second by Ken Boyd to allow the Panther Valley Running and Fitness Club to hold their annual 5K run/walk through the streets of Summit Hill on Saturday, November 13, 2010 at 10:00 a.m. with assistance from the Police and Fire Police** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Communications

1. Notice of Assessment Appeal from the Carbon County Board of Assessment and Revision of Taxes
2. PSAB will be holding the following seminars:
 - a. 2010 Annual Municipal Legal Update
 - b. Basic Budgeting: Tools & Techniques
3. Governor's Center will be holding a Managing Floodplain Development through the National Flood Insurance Program seminar
4. PA One Call notice of Board meeting in Bedford PA
5. H. A. Berkheimer 2009 Audit Report
6. EMC Insurance Summer 2010 newsletter
7. PIRMA 2010 newsletter
8. Five Star Forum June 2010 magazine
9. ArcNews Summer 2010 magazine

Motion was made by Ken Boyd and second by Mike Alabovitz to accept all Communications for the month of June 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 June 2010 as \$137,224.80. **Motion was made by Ken Boyd and second by Mike Alabovitz to pay all bills for the month of June 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Unfinished Business –

1. Atty. Matika said that the ordinance to amend the stop sign ordinance has been advertised and Council needs to approve the placement of the stop sign at the intersection of Ludlow and Beech street, which will stop all traffic traveling north on Beech street. **Motion was made by Mike Kokinda and second by Mike Alabovitz to adopt Ordinance #4 of 2010 which amends the stop sign ordinance to place a stop sign at the corner of Ludlow and Beech streets.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
2. Bill Chapman asked if there were going to put any signs up pointing people where the Borough, Fire Company and Police Department are located. Council said they dicussed it in the past and will look into it again.
3. Atty. Matika asked for a short executive session to discuss possible litigation.

New Business –

1. Harry Miller presented Council with two exemptions for the 2010 garbage collection fee.
 - a. 129 E. Fell Street. **Motion was made by Harry Miller and second by Bill Chapman to approve 129 E. Fell Street for a garbage exemption for the 2010 collection fee retroactive from the date of the application 6/29/2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

b. Millers BarVel at 26-32 E. Ludlow Street. **Motion was made by Harry Miller and second by Bill Chapman to approve Millers BarVel at 26-32 E. Ludlow Street for a garbage exemption for the 2010 collection fee retroactive from the date of the application 7/01/2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

2. Kira read a letter from Dave Unterberg asking permission to move forward to get more grant money in the amount of \$500,000 from the Department of Community and Economic Development. Atty. Matika added that the contract with community programs provides for a \$5,000 grant application fee. If we are successful, the amount will come from the program money. If not, it will come out of the general fund. **Motion was made by Mike Alabovitz and second by Ken Boyd to allow Dave Unterberg to apply for more money for the Home Improvement program in the amount of \$500,000 from the Department of Community and Economic Development.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
3. Atty. Matika presented Council with two invoices from Community Programs; one is for \$4,409.00 and the other for \$2,400.00. The invoices are for getting the program started again and for interviewing and drawing up specs for the residents who qualify for the program. **Motion was made by Harry Miller and second by Bill Chapman to pay the invoices for Community Programs in the total amount of \$6,809.00.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

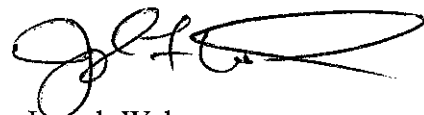
Council entered into a short executive session at 8:53p.m. to discuss potential litigation.

Council entered back into regular session at 9:00p.m.

Motion was made by Mike Alabovitz and second by John O'Gurek to adjourn at 9:01 p.m. until the next regular scheduled meeting of the Summit Hill Borough on August 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