

**Summit Hill Borough Council**  
**June 14, 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, Ken Boyd, Harry Miller, Mike Kokinda, William Chapman, Mayor Paul McArdle and Solicitor Joe Matika were all in attendance. President Joe Weber and Mike Alabovitz were absent.

**Minutes** – **Motion was made by Ken Boyd and second by Bill Chapman to approve the minutes from the May 10, 2010 Summit Hill Borough Council Meeting.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

**Floor** –

1. Sharon Chapman, 204 West Ludlow Street, told Council that SHICO is in the process of filing for a grant to update Ludlow Park. The project will entail Victorian lamps, updating the electric in the park and excavating for both, pavers for the existing paths and beneath the existing park tables, and would also like to add a few more tables and benches to the park. Sharon stated that before SHICO goes any further with this tedious, long drawn out process, they are seeking Boroughs’ approval for this project. Estimates are needed for every item and procedure and they will be submitted with the application; the application for the grant must be submitted by August 31, 2010 and SHICO will find out if we are approved by December 31, 2010. Sharon added if the Borough has any special requirements or anything to add, SHICO would appreciate consideration as soon as possible. Sharon also asked Council if the borough could write her a letter for the grant.

**Motion was made by Harry Miller and second by Ken Boyd to allow SHICO to apply for a grant to improve Ludlow Park.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

2. Shireen Parsons, 113 E. Holland Street, talked to Council about litter. She stated that there were 25 students from Panther Valley who cleaned up litter the Thursday before Memorial Day and that in about 4 hours they filled up the back of a pick-up truck. Shirleen asked Council if there is an ordinance that requires residents to clean up their yard; Atty. Matika stated that it is the property maintenaince code. Shireen asked if that included garbage, she asked what happens when residents don’t abide by the ordinance. Kira stated that a complaint has to be given to the Borough Office, a letter will be sent to the property owner and the property owner has 5 days to comply. If the property owner does not comply within the 5 days given, they can be sited. Shireen mentioned the property at 8 W. Holland Street and the garbage around the property. John O’Gurek said that he knows the property that she is referring to because it is right next to his garage. He stated that he is putting a new roof on his garage and had to clear out the area between the properties and even trim the trees to get access to the roof. Shireen stressed that something has to be done about this property.
3. Ruthann Hagerty, 250 E. Holland Street, stated that she spoke to some members of Council about 3 months ago in regards to the garbage issue and people throwing it on the ground and it blowing all over the street. She would also like to see something done to rectify these issues. Shireen Parsons added that when she is walking her dog she sees the trash blowing around town and it is going into the storm drains. Ruth asked about the 8 foot fence at Dopira’s Mini Market and wanted to know if he got a variance to put it up. Kira said that he applied for a zoning permit when he put the roof extension on and the fence was included on that permit. Kira also said that according to Mr. Marek there was no variance needed for the fence, so if they have any further

questions on this matter they have to talk to Larry. Bill Chapman said that this is something that we don't have a lot of laws for in the Borough and that with this issue everyone needs to pitch in and help out the town. Chief Fittos said that we do have laws with littering but unless someone sees it happening and reports it, we cannot do anything cite the person. Ruthann asked if the Borough could put a trash can down by the mail boxes on the east end of Holland Street so that the bikers can put their trash in there rather than on the ground. Leroy Hagerty, Ruthann's husband, asked about the street sign that is on the corner of Pine and East Holland Street that has an arrow and says to Stoneylonesome instead of it saying East Holland Street. Harry Miller stated that the sign shouldn't be moved because it is telling people how to get to Stoneylonesome rather than having to go half way down the road to see the sign. Council agreed to look into possibly moving the sign.

4. David Unterberg, Community Programs, Inc., talked to Council about the HOME & CDBG grant money that is available. He said it has been about 10 years since he has done the program in Summit Hill and it would be a shame to let the \$200,000 that Borough currently has go back to the state. Dave also talked to Council about how some of the money that was given for the program has been illegally or inappropriately used by other Boroughs or towns in our surrounding area. Atty. Matika asked Dave about some of the proposal changes that they discussed that are not in the current contract. Matika asked about the compensation section of the contract. He asked about the method of payment, how the Borough authorizes Community Programs to prepare and submit any state or federal applications and the fees that cost \$5,000 per application. Matika also mentioned that paragraphs 2 and 3 under Section IV were supposed to be changed. Dave said that he will add a new section for the additional services. Matika added that the Housing Rehabilitation section was also to be changed. Dave made note of it and told Atty. Matika that he will make the changes and forward a new agreement to him. Matika asked Dave if he would give Council an idea of how the program works, especially for the newer Councilmen who were not involved the last time around.

Dave explained that the program is for lower income home owners. They would have to come to the Borough and put in an application and then they would be scheduled to meet with him to discuss their eligibility for the program. When coming to the appointment, they would need to bring tax returns or other proof of income, the deed to the home and proof that they are up to date with their taxes, water, sewer and garbage bills. If they qualify, he would then go to the home and do an inspection of the home and the work to be done. Atty. Matika asked if the charge for each home that goes from start to finish is \$1,500.00, assuming the extra two visits are necessary. Dave said yes and that in the past they had some problems with contractors so the visits became necessary. Bill Chapman asked what it would take to get the program started again. Dave explained that he will need to get in touch with Harrisburg and with Washington to get all the paperwork completed to restart the program. Harry Miller asked if the fees that are paid come out of the grant money. Dave explained that all fees that are paid to him or to the contractors will come out of the grant money. Atty. Matika asked about the federal application and if the \$5,000.00 per each additional service is separate. Dave further explained that all of the fees that are paid come out of the program money and not out of the general fund and if we use the money appropriately, we will be able to file for more grants. Ken Boyd stated that he has some issues with the inspection and if there would be a conflict between the contractor and the residents. Dave explained that the residents will go out and get three bids for the work and it could be three bids from contractors that they want. He also explained that when the contractor submits bills to the Borough to be paid, he can only submit a bill for one third of the total contract at a time. He will inspect the work that has been done so far and inform Kira that a check can be released. When the check is made out, it will be made out to the contractor and the homeowner. This way if the homeowner has concerns, they will not sign off on the check until the concerns are addressed. Dave asked Council if they had any other questions regarding the program; no questions were asked. **Motion was made by Ken Boyd and second by Bill Chapman to enter into an**

**agreement with Community Programs Inc.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Atty. Matika stated that there should be a cap on how much it will cost per application.

**Mayor's Report** – Mayor Paul McArdle read the Mayor's Report for the month of May 2010. He reported the magistrate income for the month of May 2010 as \$1,104.19. **Motion was made by Mike Kokinda and second by Harry Miller to approve the Mayor's Report for the month of May 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 May 2010. Chief Fittos mentioned that he has been in contact with a representative from Verizon Wireless and she provided him with a quote for two different plans. Both offer more minutes than the current plan with Nextel. He stated that the current plan has 3,200 minutes between all phones and the Verizon plan offers 4,000 minutes for all lines. Fittos explained that the first plan offers text messaging and the second plan does not. He added that the plans offer more and are a better price than what we are currently paying for Nextel. Fittos also mentioned that there are more and more issues with Nextel's service and feels that Verizon would be the better choice at this point in time. **Motion was made by Bill Chapman and second by Ken Boyd to allow the switch from Nextel to Verizon with the text messaging option.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Fittos added that the phones will be free of charge and all of the numbers will stay the same. Chief Fittos also mentioned the new procedures of video arraignment before a magistrate. He said with the current system they have now, the police have to physically take the prisoner from the station to the magistrate then from the magistrate they have to transport them to the prison. With the new video arraignment system, they will not have to leave the station. The prisoner will be arraigned right from the cell. He did mention that because of this new procedure, he will need to purchase a monitor. The cost for the new monitor will be \$180.00. **Motion was made by Bill Chapman and second by Harry Miller to allow Chief Fittos to purchase a new monitor for \$180.00 as part of the new video arraignment system.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. **Motion was made by Harry Miller and second by Bill Chapman to accept the Police Report for the month of May 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 May 2010. Borough Secretary, Kira Michalik, reported that anonymous complaints are still coming into the office and they cannot be addressed unless there is a more formal complaint filed so we know what it is that we are acting on. Kira also presented Council with the minor subdivision of the Miller/Ogozalek property for approval. **Motion was made by Ken Boyd and second by Mike Kokinda to approve the minor subdivision of the Miller/Ogozalek property.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. **Motion was made by Ken Boyd and second by Harry Miller to accept the Planning and Zoning Report for the month of May 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 May 2010. **Motion was made by Ken Boyd and second by Harry Miller to accept the Work Leader Report for the month of May 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 May 2010. Alice Kane submitted total taxes as \$351,524.60 with a commission of \$14,060.97. **Motion was made by Ken Boyd and second by Harry Miller to accept the Tax Collector Report for**

**the month of May 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 May 2010. They submitted total Earned Income Tax of \$29,873.11 with a commission of \$545.72. The total LST submitted for May was \$1,208.90 with a commission of \$21.16. **Motion was made by Ken Boyd and second by Mike Kokinda to accept the Wage Tax Report for the month of May 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 May 2010 as \$364,507.83. **Motion was made by Ken Boyd and Second by Mike Kokinda to accept the receipts for the month of May 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* –

- Mike Kokinda stated that he received a proposal from HT Lyons to repair the HVAC system based on a time and material not to exceed \$35,000.00. **Motion was made by Mike Kokinda and Second by Bill Chapman to approve the proposal from HT Lyons to repair the HVAC systems based on time and material not to exceed \$35,000.00.** Atty. Matika stated on behalf of himself and Atty. Sbrocchi that this particular bid will be in violation of the bidding process as stated in the Borough Code. The motion was opened to the floor for comment; none made. Motion was denied by majority vote. John O’Gurek, Ken Boyd and Harry Miller opposed.

*Fire and Emergency Services-*

- Council received a letter from Shawn Hoben, Fire Chief, in regards to the Fire Company’s dedication on July 24, 2010. He asked if Ludlow Street from Chestnut to Walnut can be posted for no parking and if the 10s block of Ludlow (from Chestnut to Market) can be closed for the day to allow parking for other fire apparatus following the parade. **Motion was made by Mike Kokinda and Second by Ken Boyd have the borough crew post no parking signs on Ludlow street from Chestnut to Walnut and to close the 10s block of Ludlow Street for the day to allow parking for other fire apparatus following the parade for the Summit Hill Fire Company’s dedication on July 24, 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Bill Chapman asked Shawn Hoben if the exercise equipment was covered under the Boroughs insurance. Shawn said that he is not sure if it is covered.
- Shawn also mentioned that the Nesquehoning Fire Department is currently in the process of applying for a grant for new radios and SCBA equipment. John McArdle from the Nesquehoning Fire Department will be writing the grant and would like to submit it on behalf of the Nesquehoning, Lansford and Summit Hill Fire Departments. With a joint grant, you have a better chance at receiving the money. He asked permission from Council to allow John McArdle to write the grant on behalf of Summit Hill and to write a letter to Nesquehoning Fire Department stating the same. Shawn stated that the new radios will benefit each of the respective communities. **Motion was made by Mike Kokinda and Second by Bill Chapman to send a letter to the Nesquehoning Fire Department allowing them to apply for a joint**

**grant for new radios and SCBA equipment.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

- Shawn also mentioned that he still has a check list for Miller Brothers and wanted to know if this was something they would be doing when they came to repave the fire company. Council was not sure if this would be addressed at that time.

*Recreation –*

- Kira Michalik said there is a request to use the Community Center from Lisa Gombert on June 27, 2010 at 2:00p.m. for a baby shower. Kira also mentioned that all the proper paper work has been completed and submitted to Monica. **Motion was made by Ken Boyd and Second by Harry Miller to allow Lisa Gombert to use the Community Room on June 27, 2010 at 2:00pm for a baby shower.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

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

**Communications** – See attached sheet.

- Kovatch sent a request asking permission to have the Summit Hill Fire Police assist them during their open house on Saturday, July 10, 2010 from 9:00am until 5:00pm. **Motion was made by Mike Kokinda and second by Ken Boyd to allow the Summit Hill Fire Police assist Kovatch during their open house on Saturday, July 10, 2010 from 9:00am until 5:00pm.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
- St. Joseph's Parish sent a letter in regards to their annual parish Festival that will be held July 16-18, 2010. They are asking permission to have the proper streets blocked off for the festival. They are also asking permission to use the streets of the community and for assistance from the Summit Hill Police and Fire Police for the Two Saints Scamper that will be held on Saturday, July 10, 2010. In addition, they will be having a procession with the statue of St. Gabriel on Sunday, July 18, 2010 beginning at 3:00pm. The procession will go east on Ludlow Street, turning left onto Poplar and then on to White Street and returning back to the church. They are asking to have the street blocked off during the procession. Chief Fittos mentioned that Council may want to look into buying some horses to block off the street because every time the streets need to be blocked, we have to borrow them from another Borough. **Motion was made by Harry Miller and second by Bill Chapman to allow St. Joseph's Parish the permission to hold their annual parish festival July 16-18, 2010, to hold the Two Saints Scamper on Saturday, July 10, 2010 and to have the procession of the statue of St. Gabriel on Sunday, July 18, 2010 at 3:00pm blocking off the proper streets and allowing assistance from the Summit Hill Police and Fire Police during these events.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

## Communications

1. Notice of property assessment from the Board of Assessment and Revision of Taxes
2. Notice to change 2010 Tax Duplicate for John & Lorraine Carnish and Maxine Vermillion from the Board of Assessment and Revision of Taxes

3. Governor's Center for Local Government Services will be holding the following seminars:
  - a. Best Practices in Tax Collection
  - b. Intermediate Accounting
4. Wayne Conservation District is holding an Environmentally Sensitive Maintenance of Dirt & Gravel Roads seminar
5. International Code Council is holding their 2010 Annual Conference and Group B Final Action Hearings conference and hearings October 24-October 31 in North Carolina
6. Letter from IDM Consulting Services in regards to lowering municipalities health costs.
7. Letter from PSAB in regards to AFLAC
8. Received the 2009 audits from the Carbon County Controller for District Court #56-3-01 (Jim Thorpe) and District Court #56-3-03 (Lansford)
9. PA Department of Transportation Summer 2010 newsletter and other information materials
10. Government Matter Spring 2010 newsletter
11. General Code Spring/Summer 2010 newsletter

**Motion was made by Mike Kokinda and second by Harry Miller to accept all Communications for the month of May 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 May 2010 as \$131,692.24. **Motion was made by Ken Boyd and second by Bill Chapman to pay all bills for the month of May 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

**Unfinished Business** –

1. Council discussed the road material bids that were opened at last month meeting. John O'Gurek mentioned that he feels the best option would be Lehigh Asphalt and stated that we never had any problems with them in the past. **Motion was made by Ken Boyd and second by Mike Kokinda to accept the bid from Lehigh Asphalt and Paving for the 2010 road materials.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
2. Harry Miller mentioned an estimate that was received from Schuylkill Electronics to have security cameras installed in the Police Department. He said the estimate is for \$3,716.99 and feels that this is of importance to protect the police when they have someone in custody. Kira added that there is still grant money to be used for this project. **Motion was made by Harry Miller and second by Ken Boyd to purchase the security cameras for the police department in the amount of \$3,716.99.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council

**New Business** –

1. Harry Miller presented Council with an exemption for the 2010 garbage collection fee for 144 E. Lehigh Street. **Motion was made by Harry Miller and second by John O'Gurek to approve 144 E. Lehigh Street for garbage exemption for the 2010 collection fee.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

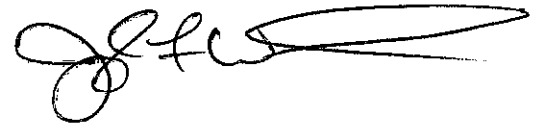
2. Harry Miller reported that two handicap parking permits have been submitted; one is a new application and one if for renewal.
  - a. Elizabeth Miller, 143 East Fell Street for approval. **Motion was made by Harry Miller and second by Ken Boyd to approve the handicap application for Elizabeth Miller at 143 East Fell Street.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
  - b. Donald Dematto, 23 East Holland Street for renewal. Harry Miller expressed his concern of renewing this application for the fact that he has personally observed Mr. Dematto walking a big dog around, cutting his grass and also mentioned that he has a garage that is being used to store the vehicle on occasion. **Motion was made by Harry Miller and second by Bill Chapman to deny the handicap renewal for Donald Dematto at 23 East Holland Street.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. John O'Gurek and Ken Boyd abstained for personal reasons.
3. Kira submitted two invoices from HT Lyons for services that they provided to the Borough to repair the HVAC systems at the Borough and the Fire Company. She asked for permission to pay the invoices totaling the amount of \$955.64. **Motion was made by Ken Boyd and second by Bill Chapman to pay the two HT Lyons invoices for minor repairs for the HVAC systems at the Borough and Fire Company buildings in the amount of \$955.64.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
4. Kira spoke to Council about the issues with vacant homes in the borough. She said that she gets constant complaints about the properties and most of them are owned by banks. She stated that she sends letters out to the banks stating that the property needs to be maintained but there is usually no response. So then the borough workers have to go and take care of the property, which takes away from what needs to be done in town. A bill is then sent to the property owner for the borough's services but most of the time they are not paid. She wanted to know if there is anything that can be done to these banks or property owners so that the borough does not have to continually take of the property and not get paid for the work. Atty. Matika said the only way to assure the receipt of any monies for the borough maintaining the property is to follow the ordinance and then file a municipal lien on the property.
5. Mike Kokinda expressed his concern with the corner of Beech and Ludlow streets. He said that now that South Street is paved people are using it more often but when they come to the intersection of Beech and Ludlow, they are not stopping and flying out in front of oncoming vehicles. He even had a report of a child almost getting his while riding his bicycle near that intersection. He feels that a stop sign needs to be placed there to prevent any major accident from happening. Atty. Matika explained that the stop sign ordinance will need to be advertised to include this change. **Motion was made by Ken Boyd and second by Mike Kokinda to advertise the stop sign ordinance to include a stop sign at the corner of Beech and Ludlow Streets.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
6. Kira mentioned that \$75,000.00 needs to be transferred back to the Building GO Bond account. **Motion was made by Mike Kokinda and second by Bill Chapman to transfer \$75,000 from the General Fund to the Building GO Bond account.** The motion was opened to the floor for comments; none made. Motion carried unanimously by Council.

7. Harry Miller spoke about the repairs that need to be done to the HVAC systems at the Borough and Fire Company buildings. He stated that he would like to make a motion to engage services of a qualified engineering firm to prepare appropriate specifications to allow for bids to be submitted to repair the HVAC systems in the Borough Hall and the Fire Company buildings, said repairs to put the systems in compliance with the design specifications of each building as originally prepared. Mike Kokinda asked who will engage the services. **Motion was made by Harry Miller and second by Ken Boyd to advertise for a qualified engineering firm to prepare appropriate specifications to repair the HVAC systems in the Borough Hall and Fire Company buildings in compliance with the design specification of each building as originally prepared.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Mike Kokinda and Bill Chapman were opposed.

**Motion was made by and second by to adjourn at 8:35 p.m. until the next regular scheduled meeting of the Summit Hill Borough on July 12, 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