

**Summit Hill Borough Council**  
**October 11, 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, Vice-President John O’Gurek, Harry Miller, Ken Boyd, Mike Kokinda and William Chapman were all in attendance. Mike Alabovitz and Mayor Paul McArdle were absent. Solicitor Joe Matika arrived at 7:15 pm.

**BIDS** – President Joseph Weber opened bids received for janitorial services for the Municipal Building and the Community Center.

1. D & D Cleaning Concepts, E. Mountaintop Road, Summit Hill
  - a. Single cleaning Municipal Building \$150.00
  - b. Weekly cleaning Municipal Building \$120.00
  - c. Monthly cleaning Municipal Building \$150.00
  - d. Single cleaning Community Room \$150.00
  - e. Weekly cleaning Community Room \$125.00
  - f. Monthly cleaning Community Room \$150.00
  
2. Margaret Anne’s Cleaning, West White Street, Summit Hill
  - a. Single cleaning for both buildings \$400.00
  - b. Weekly cleaning for both buildings \$85.00
  - c. Monthly cleaning for both buildings \$350.00
  
3. E’s All in One, Philadelphia
  - a. Monthly cleaning for both buildings \$9,500.00
  - b. Yearly cleaning for both buildings \$114,000.00
  
4. Jan-Pro Cleaning Systems, Wilkes Barre
  - a. Single Cleaning for both buildings \$599.00
  - b. Weekly Cleaning for both buildings \$650.00
  - c. Monthly Cleaning for both buildings \$249.00

**Motion was made by Bill Chapman and second by Harry Miller to table the janitorial service bids for further review until the next scheduled Council Meeting.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

**Minutes** – Motion was made by Ken Boyd and second by John O’Gurek to approve the minutes from the September 13, 2010 Summit Hill Borough Council Meeting. The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

**Floor** –

1. Larry Wittig, Tamaqua Transfer, spoke to Council about the policy with exemptions. Larry said that the number of households is irrelevant because the contract goes by tonnage and since 2005 the fee has not raised. He pointed out that in this current contract the price actually went down based on the tonnage. Larry stated that if the tonnage goes up that they loose money he added that he has never penalized Summit Hill and the larger the contract the bigger the risk. Now that the risk is getting greater to Tamaqua Transfer the next contract the rate will have to go up a substantial amount and not with just Tamaqua Transfer, but also with its competitors. Mr. Wittig

said that when the Borough was behind 2 months in payments they still picked up the garbage. He said they were losing money because they pay their employees and the landfill weekly and did not receive a payment for 80 days. Mike Kokinda asked Larry Wittig if the price was based on tonnage and also asked why it wasn't done by household. Larry explained that the Borough bills by household but the transfer figures cost by tonnage.

**Mayor's Report** – Mayor Paul McArdle read the Mayor's Report for the month of September 2010. He reported the magistrate income for the month of September 2010 was \$1,356.69. **Motion was made by John O'Gurek and second by Mike Kokinda to approve the Mayor's Report for the month of September 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 September 2010. Chief Fittos talked to Council about a request that he received from Kristen Black the Athletic Director at Panther Valley. She is looking for police officers to patrol the home varsity football games at Panther Valley Stadium, with the rate of pay being \$22.00 per hour. Chief Fittos said that he questioned her in regard to liability and disability insurance for the officers and Kristen told him that the school would provide both. He said that he spoke with both Chief Turkmanovich and Chief Delaney and they are not interested in providing officers to patrol the games. Chief Fittos suggested that we do not provide officers either. Chief Fittos told Council that he was awarded the grant for \$10,000 to purchase new radios, light bars and licenses for the records management system. **Motion was made by Bill Chapman and second by Harry Miller to accept the Police Report for the month of September 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Larry Marek talked to Chief Fittos about the officers patrolling the Panther Valley varsity football games and that Summit Hill would not have any arrest powers in Lansford; Chief Fittos said that is correct. Larry wants to know as a tax payer who is going to authorize \$22.00 an hour to someone who has no arrest power.

**Planning and Zoning Report** – Council received copies of Larry Marek's Planning and Zoning report for the month of September 2010. Larry talked about proper protocol and that zoning complaints need to be taken care of in the Borough office and not in a public forum and he is asking Council to back him up with this. Joe Weber said please go through the proper channels with this as per the ordinance. **Motion was made by Ken Boyd and second by Mike Kokinda to accept the Planning and Zoning Report for the month of September 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 September 2010. Bill Chapman asked if all of the storm drains have been cleaned. John O'Gurek said that he would check with Kossie and find out. **Motion was made by Bill Chapman and second by Mike Kokinda to accept the Work Leader Report for the month of September 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 September 2010. Alice Kane submitted total taxes of \$5,064.70 with a commission of \$253.23. **Motion was made by Bill Chapman and second by John O'Gurek to accept the Tax Collector Report for the month of September 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 September 2010. They submitted total Earned Income Tax of \$13,152.08 with a commission of \$292.93. The total LST submitted for September was \$2.00 with a commission of \$0.00. **Motion was made by Bill Chapman and second by Harry Miller to accept the Wage Tax Report for the month**

of **September 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 August 2010 as \$62,076.72. **Motion was made by Mike Kokinda and Second by Bill Chapman to accept the receipts for the month of September 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

### Committee Reports –

#### *Streets* –

- Kira Michalik said that the estimated liquid fuels for 2011 is \$67,651.49. John O’Gurek stated that he thought we got more than that before. Kira said we may have but it goes by the Borough’s annual report. John said they are filling in potholes and cleaning out the storm drains and sewers to get ready for the winter.

#### *Building* –

- Mike Kokinda said they started putting the kitchen together; they have all of the equipment in hand now. He said that he has two people coming on Wednesday, October 13<sup>th</sup>, to look at duct work so that they can hook up the gas. Harry Miller said that he needs to watch the roof so that we don’t void the warranty. Mike said that HT Lyons will start working on the buildings on October 13<sup>th</sup>; Joe Weber said for Mike to contact Kip so that he is aware what is going on.

#### *Fire and Emergency Services*–

- Shawn Hoben said that the gutter on the Fire Company was damaged by the weather and he asked if it can be repaired. Joe Weber asked if it was a warrant issue, Shawn said no. Joe Weber said that they would get someone to repair it.

#### *Recreation* –

- Council received copies of Receptions meeting minutes for the month of September 2010. Mike Kokinda said that they will be at the Community Center working on the kitchen on Wednesday at 6:30 p.m. if anyone wants to see the kitchen.

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

### Communications – See attached sheet.

- Aurelia DeMatto sent a request asking for permission to hold a prayer service at the gazebo in Ludlow Park at 12 p.m. on October 16, 2010. **Motion was made by Mike Kokinda and second by Bill Chapman to allow Aurelia DeMatto to hold a prayer service at the gazebo in Ludlow Park on October 16, 2010 at 12 p.m.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
- St. Johns Lutheran Church in the Heights located in Jim Thorpe is asking permission to hold the Switchback Scamper in the Borough. The race will be held on Sunday, October 17, 2010 at 2p.m. in the Borough, following the old switchback trail and concluding at the Mauch Chunk Lake Park. **Motion was made by Mike Kokinda and second by Bill Chapman to allow St. Johns Lutheran Church to hold the switchback scamper in the Borough on October 17, 2010 at 2p.m.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

- Council received a letter from John Bryant, 240 E. Hazard Street, asking if the Borough could put the yield to pedestrians in the cross walk signs on the highway. He said it is very dangerous to try and cross the highway. **Motion was made by Mike Kokinda and second by Bill Chapman to write a letter to Penn Dot requesting that the speed limit be lowered on the highway.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

## Communications

1. Notice of Assessment from the Carbon County Board of Assessment and Revision of Taxes
2. Governor's Center for Local Government Services will be holding the following seminars:
  - a. Bookkeeping and Accounting Basics
  - b. Managing Winter Road and Street Operations
3. PAFPM will be holding their annual Fall meeting on October 26<sup>th</sup> in Williamsport
4. PSAB will be holding a Confined Space training
5. Notice of 2010 Tax Duplicate from the Carbon County Board of Assessment and Revision of Taxes
6. J.P. Harris Associates. LLC sent info pertaining to Delinquent Tax collection
7. PA One Call System, Inc. will be holding their board meeting on Wednesday, October 27, 2010 in Pittsburgh
8. PA One Call System, Inc. sent info pertaining to open seats on the board and the 2009 annual report
9. Received audit reports from the Dept. of the Auditor General for the Summit Hill borough Pension Plans for the period January 1, 2008 – December 31, 2009
10. Government Matters Summer 2010 newsletter
11. EMC Fall 2010 newsletter
12. PMRS 2009 Comprehensive Annual Financial Report
13. PSAB 2010 Yearbook and Annual Report

**Motion was made by Mike Kokinda and second by Bill Chapman to accept all Communications for the month of September 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 September 2010 as \$85,905.87. **Motion was made by Bill Chapman and second by Harry Miller to pay all bills for the month of September 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

### **Unfinished Business** –

1. Atty. Matika said that last month Council made a motion to advertise the adoption of an ordinance to amend our PMRS agreement to take into account the service increments that we allotted to the officers based on the amount of time they have worked for the Borough. Atty. Matika said the ordinance was advertised and we will need to take action on that ordinance; we are agreeing to execute an addendum to the agreement. **Motion was made by Mike Kokinda and second by Bill Chapman to adopt the ordinance agreeing to execute an addendum to the current PMRS agreement.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

2. Kira gave Council a copy of the additional information they requested regarding the request to have to have ETA Benefits group from Tamaqua become the Borough's Blue Cross agent. Bill Chapman asked if there would be any additional costs with changing agents. Joe Weber said that there would be no change in cost; the only change would be having an agent from Tamaqua verses Stroudsburg. **Motion was made by Bill Chapman and second by Joe Weber to allow ETA benefits in Tamaqua to be the agent for the Boroughs Blue Cross plan.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council

### New Business –

1. Harry Miller presented Council with one exemption for the 2010 garbage collection fee.
  - a. 32 West Walter Street. **Motion was made by Harry Miller and second by Joe Weber to approve 32 W. Walter 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 this is something that we need to discuss for further contracts.
2. Harry Miller reported two handicap parking permits have been submitted, one for renewal and one new.
  - a. Robert Murlo, 456 West White Street, for renewal. **Motion was made by Harry Miller and second by Bill Chapman to approve the renewal of a handicap application for Robert Murlo at 456 West White Street.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council
  - b. Richard Jones, 19 N. Oak Street, for approval. **Motion was made by Harry Miller and second by Joe Weber to table the handicap application for Richard Jones at 19 North Oak Street until further information is received from the doctor.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council
3. Kira told Council that she met with a woman from Powell Rodgers and Speaks. She said that they are back in the area now and they are looking to collect the Borough's delinquent taxes. Joe Weber suggested that if we don't have any problems with Berkheimer then we should leave it the way that it is.
4. Atty. Matika said that he has been in touch with Dave Unterburg regarding the application for the additional \$500,000.00 from the Department of Community and Economic Development. Atty. Matika said that we need to adopt a resolution authorizing the filing of the application with DCED. **Motion was made by Mike Kokinda and second by Bill Chapman to adopt Resolution #2 which is trying to obtain funds from DECD in the amount of \$500,000.00 to help with the home program.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
5. Kira presented Council with an invoice from Community Programs Inc. in the amount of \$6,480.00, for services provided. Joe Weber went over the breakdown and would like to see further information on Papinsick with a cost breakdown. **Motion was made by Mike Kokinda and second by Harry Miller to pay Community Programs, Inc. a total amount of \$6,000.00 and holding payment for \$480.00 until a cost breakdown is received.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
6. Kira Michalik stated that Trick or Treat night will be on Sunday, October 31, 2010 from 6-8 p.m.

7. Atty. Matika told Council that he received a call from a company called Unison; they are interested in possibly buying out the Borough's lease with Atlas. Atty. Matika said it doesn't hurt to meet with them to discuss this matter. Council stated that they are not interested.

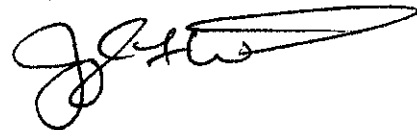
Council entered into a short executive session at 8:24 p.m. to discuss potential litigation.

Council entered back into regular session at 8:53 p.m.

**Motion was made by John O'Gurek and second by Ken Boyd to adjourn at 8:55 p.m. until the next regular scheduled meeting of the Summit Hill Borough on November 8, 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