

**Summit Hill Borough Council**  
**January 10, 2011, 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, Mike Alabovitz, Harry Miller, Ken Boyd, Mike Kokinda, William Chapman, Solicitor Joseph Matika were all in attendance. Mayor Paul McArdle was absent due to illness.

**Minutes** – Motion was made by Bill Chapman and second by Harry Miller to approve the minutes from the December 13, 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** – Chief Joe Fittos read the Mayor’s Report for the month of December 2010. He reported the magistrate income for the month of December 2010 was \$1,389.10. Motion was made by Bill Chapman and second by Mike Kokinda to approve the Mayor’s Report for the month of December 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 December 2010. Chief Fittos said the department serviced 4,882 complaints for the year. Motion was made by Bill Chapman and second by Mike Kokinda to accept the Police Report for the month of December 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 December 2010. Larry said the variance for Lehigh Ambulance was approved. Motion was made by Mike Kokinda and second by Harry Miller to accept the Planning and Zoning Report for the month of December 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 December 2010. Kira told Council that Kossie put a note in his report about people throwing snow into the street. Joe Weber stated that the ordinance does read that you cannot throw snow out into the street. Motion was made by Bill Chapman and second by Ken Boyd to accept the Work Leader Report for the month of December 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 December 2010. Alice Kane submitted total taxes of \$29,100.40 with a commission of \$1,455.02. Motion was made by John O’Gurek and second by Harry Miller to accept the Tax Collector Report for the month of December 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 December 2010. They submitted total Earned Income Tax of \$11,064.23 with a commission of \$243.76. The total LST submitted for December was \$5.00 with no commission. Motion was made by Harry Miller and second by Bill Chapman to accept the Wage Tax Report for the month of December 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 December 2010 as \$62,701.75. Motion was made by Mike Kokinda and Second by Bill Chapman to accept the receipts for the month of December 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 Lansford came up and put the camera in the line on Amidon Street and everything is clear on the Borough’s end.

*Building –*

- Joe Weber asked where we are at with the HVAC system. Mike Kokinda said that HT Lyons is having scheduling problems to have someone come and do the balancing and work on the controls.

*Fire and Emergency Services-*

- Bill Chapman said that he talked to John Poko and he said that their meetings have been changed, so the Fire Company won’t have a report for Council until after Council meets.

*Recreation –*

- Council received a copy of Recreation’s meeting minutes. Joes Weber said there will be a 7<sup>th</sup> and 8<sup>th</sup> grade dance on February 12, 2011 from 6:00-9:00 p.m. and Easter on the Hill will be held on April 16, 2011.

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**Motion was made by John O’Gurek and second by Harry Miller to accept all Committee Reports for the month of December 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

**Communications – See attached sheet.**

1. Council received information from Penn Stated in regards to a Young Lungs at Play program that is being supported by the PA Department of Health. Their goal is to make all parks tobacco free. Joe Weber feels this is a good idea. Mike Kokinda expressed concerns about events in the park like the Stay-At-Home- Festival. He said if we don’t allow smoking in the Ginter, people may not come. A brief discussion took place. Council decided to review the information further before making a decision.
2. Council received a letter from Bobby O’Gurek’s Web Design & Services inquiring about the Borough’s web site. The letter stated that Mr. O’Gurek went out on his own and would like the opportunity to design and maintain the Borough’s web site again. Council instructed Kira to send a letter to Mr. O’Gurek informing him when the current contract expires so that he can submit a bid for his services.

**Communications**

1. Notice of Property Assessments from the Board of Assessment and Revision of Taxes
2. LTAP sent a list of their 2011 Winter/Spring Course Schedule for Municipal Road Maintenance and Safety Training
3. PSAB sent information regarding the Police Civil Service Training seminar
4. Governor’s Center for Local Government Services will be holding the following seminars:
  - a. Roadmasters Roundtable – The Changing Role of Public Works
  - b. Duties of the Zoning Hearing Board
5. Carbon Builders Association sent information regarding the changes to PA’s Erosion, Sediment Control and Post-Construction Stormwater Management.
6. DCNR Bureau of Recreation and Conservation 2011 Open Grant Announcement
7. PA Department of Transportation sent information about the following seminars:

- a. Pavement Markings: Applications and Maintenance
- b. Americans with Disabilities Act: Requirements for Municipal Transportation Facilities
8. PA Department of Transportation also sent informational literature to review
9. EMC Insurance Company Winter 2010 newsletter
10. ArcNews Winter 2010/2011 magazine

**Motion was made by Harry Miller and second by Bill Chapman to accept all Communications for the month of December 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 December 2010 as \$76,738.03. **Motion was made by Harry Miller and second by John O’Gurek to pay all bills for the month of December 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

**Unfinished Business** – nothing at this time

**New Business** –

1. Atty. Matika said he needs a motion to advertise the tax rate ordinance for 2011. This would be Ordinance #1 of 2011 with a tax rate for general purposes of 13.1 mills, lighting 1.5 mills and fire .5 mills. **Motion was made by Harry Miller and second by Mike Kokinda to advertise Ordinance #1 of 2011, the Tax Rate Ordinance.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
2. Atty. Matika informed Council that he received a call from Alice Kane in regards to requests for tax certifications. Joe explained that the practice of tax collectors now is to charge a fee for this service but the Borough must adopt an ordinance for Alice to do this. She is proposing a \$15.00 fee to research the issue and send tax certifications back to the requestor. Joe Weber asked if there is a maximum amount that can be charged. Atty. Matika said he knows of tax collectors charging as much as \$25.00 but most charge \$15.00. **Motion was made by Mike Alabovitz and second by Bill Chapman to draft an ordinance allowing the tax collector to charge \$15.00 to do tax certifications.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
3. Joe Weber said there are Board Renewals to discuss. **Motion was made by Mike Alabovitz and second by Bill Chapman to table all board renewals pending review of all applicants.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Mike Kokinda asked if the spot will now be vacant. Atty. Matika said technically the spot will be vacant because their term was up at the end of December.
4. Kira presented Council with some information from First Niagara Bank and Jim Thorpe National Bank for the new account for the garbage collection fees. She noted that we can get interest with First Niagara. **Motion was made by Bill Chapman and second by Harry Miller to set up a garbage account with First Niagara Bank.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
5. Harry Miller reported that he has reviewed the list of residents who have renewed their application for an exemption for the 2011 garbage collection fee. He presented the list to Council and asked that all 52 properties on the list be granted the exemption. **Motion was made by Harry Miller and second by Bill Chapman to grant the exemption from the 2011 garbage collection fee for the Summit Hill Borough to all 52 properties.** The motion was opened to the floor for comment; none made.

Motion carried unanimously by Council. Mike Kokinda opposed. Mike Kokinda asked what happens if we get rid of this ordinance. Atty. Matika said that you exempted these properties from collection based on the current ordinance; if you repeal the ordinance the exemptions are no longer valid because the state of the collection services would change. Kira asked if they would pick up from when we got rid of the ordinance or would it be from the beginning of the year. Atty. Matika said it would be from the time you lift the ordinance. Larry Marek said that he will be mad if everyone else has to pay for the exemptions including himself. Joe Weber said that he was correct and that if we charge these 52 people and change the ordinance back to the way it was, we will now have the same problems we did before.

6. Harry Miller reported that he has reviewed the list of residents who are applying for the first time for an exemption for the 2011 garbage collection fee. He presented the list to Council and asked that all 10 properties on the list be granted the exemption. **Motion was made by Harry Miller and second by John O'Gurek to grant the exemptions from the 2011 garbage collection fee for the Summit Hill Borough to all 10 properties.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Mike Kokinda opposed.
7. Kira gave an update on the tax anticipation note. She said she has to get some information to them and we can move forward with it.
8. Kira asked Council if they are going to have the workforce pick up Christmas trees again like last year. Joe Weber said he feels it is a good thing and would like to set up two pick up days. Council agreed to schedule the pick up days on Thursday, January 13 and Monday, January 17, 2011. Kira added that all trees must have all decorations removed and cannot have tinsel on them. She also said that residents can take the trees down to the Environmental Center.
9. Kira talked to Council about purchase orders. She said that if we are going to do this we need to get a procedure in place so that we can enforce it and it needs to be done as soon as possible. A brief discussion took place regarding purchase orders. Council instructed Atty. Matika to draw up a procedure to use purchase orders.
10. John O'Gurek publicly thanked the Carbon County prisoners for all of their help cleaning the Borough Buildings. Kira added that they have done a wonderful job and hopes to continue using their services.

**Motion was made by Mike Kokinda and second by Bill Chapman to adjourn at 7:53 p.m. until the next regular scheduled meeting of the Summit Hill Borough on February 14, 2011.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

*Kira Michalik*

Kira Michalik  
Summit Hill Borough  
Secretary/Treasurer

*Joseph Weber*

Joseph Weber  
Summit Hill Borough  
Council President